

August 2018

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Recommended Citation

Mulder, Lianne M.A., "Neoliberalism and the School Choice Movement in the United States" (2018). *MA Research Paper*. 20.
https://ir.lib.uwo.ca/sociology_masrp/20

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NEOLIBERALISM AND THE SCHOOL CHOICE
MOVEMENT IN THE UNITED STATES

by

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A research paper submitted in partial fulfilment of the
requirements for the degree of
Master of Arts

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2018

ABSTRACT

This paper investigates the role of neoliberalism in the advocacy for and implementation of school choice in the United States. It applies conflict theory of education to the school choice debate and uses post-Katrina New Orleans as a case study of school choice implementation. It concludes that neoliberal and like-minded think-tanks, foundations, and lobby groups are involved in the advocacy for school choice in the United States because it assists them in furthering their goals of influencing *whose* values and ideals will be taught and *whose* children will land the desired jobs; thereby maintaining the capitalist status quo and enabling increasing profitability of the education sector at the expense of public education, students, teachers, unions, and others. The paper contributes to the sociology of education and enriches the conflict theory of education with a fourth assumption. It is relevant to sociologists of education, teachers, conflict theorists, and educational policy makers.

Keywords: school choice, United States, neoliberalism, conflict theory, New Orleans, education reform.

ACKNOWLEDGMENTS

I owe my deepest gratitude to Prof. Kim Shuey for her excellent supervision of this research paper, her encouragement, and her trust. I am very grateful for everything she has done for me during my time at Western University.

1. Introduction

This paper investigates the role of neoliberal ideology in the advocacy for and implementation of school choice in the United States. The school choice movement arose after economist Milton Friedman promoted the free-market concept of school choice in 1955 (Jackson May, 2006). It became consolidated in federal legislation when the No Child Left Behind Act (NCLB) of 2001 promoted and supported charter schools, and permitted students to spend their public school funds at a school of their own choosing, regardless of whether this school was public or private, religious or not (Jackson May, 2006). Advocates for school choice can be found in different ideological corners, amongst them libertarian, centrist, neoconservative, neoliberal, and ‘new’ civil rights (DeBray-Pelot, Lubienski and Scott, 2007). Neoliberal advocates argue that when schools face market-style pressures, this will force them to compete, leading to improved school effectiveness and efficiency. They also emphasize the opportunity for parents to choose the best option for their child and the increased opportunities that school choice offers to disadvantaged students in underperforming schools (DeBray-Pelot, Lubienski and Scott, 2007; Russom, 2012; DeVos, 2017; Walton Family Foundation, 2018a). School choice options disconnect one’s address of residence with the public school one must attend, making it possible for a child to attend a public school not in its neighborhood. Without school choice, only affluent families can opt for private schools or move to wealthier neighborhoods to enable access to a quality school for their children, but these options are not available to poorer families (Holme, 2002).

Critics of school choice, including teachers, teacher unions, and traditional civil rights organizations such as the NAACP, the National Urban League and the Mexican-American Legal Defense and Education Fund (DeBray-Pelot, Lubienski and Scott, 2007), have several objections. They argue that school choice options, such as charter schools and vouchers, often

put public money for education in the hands of private enterprises and hedge funds (McLaren, 2012; Porfilio, 2012), dismantle the power of teacher unions – as charter school teachers are most often not unionized¹ (Russom, 2012), promote segregation (Renzulli and Evans, 2005), and favour affluent and well-informed families (Minow, 1999) while reducing opportunities for poor and less informed families, particularly those living in low-income urban district and those who are of colour (Martin, 2004). Additionally, they oppose the neoliberal commodification and privatization of public education and argue that education is not a sector which should be run like a for-profit business (McLaren, 2012). Wider criticism of neoliberalism's power in education holds that education, schooling and literacy “help to reproduce the institutional structures that leave unmet the needs that neoliberalism helps to create” (Weiner, 2005). Despite these critiques, the number of charter schools has increased from one in 1991 to 6,900 in 2015-16 (National Center for Education Statistics, 2018a), and the Bush, Obama and Trump administrations have all been supportive of school choice (DeBray-Pelot, Lubienski and Scott, 2007; McLaren, 2012; DeVos, 2017).

This research paper provides an in-depth discussion of the school choice movement and the arguments of its main interest groups, both those for and against the premises of school choice, and the evidence on which they base their claims, in order to better understand the role that neoliberal, free-market ideology plays in the advocacy for school choice. Government statistics and content analysis of organizational websites provide the foundation of this discussion of the school choice movement in section 2. The exemplar organizations of sections 2.1 and 2.2 are selected based on a number of factors including availability of information on

¹ While there were more unionized charter schools in 2016-17 compared with 2009-10 (781 versus 604), their percentage of the total number of charter schools was lower in 2016-17 compared with 2009-10 (11.3 percent versus 12.3 percent). Approximately 2% of charter schools that opened in 2016-17 were affiliated with a teachers' union (National Alliance for Public Charter Schools, 2018a).

their website and the extent of their influence and contribution to the public debate on school choice. Section 3 subsequently analyzes the highly politicized debate over school choice through a lens of conflict theory. This theory considers schools to be serving elite interests, rather than the needs of the whole society. It argues that in schools existing inequalities are reinforced, students are inculcated with attitudes which foster the acceptance of the capitalist status quo, and are socialized to function well and without complaint in the hierarchical structure of the modern corporation (Hurn, 1993; Bowles and Gintis, 1976 & 2001). Hurn (1993) summarized the three main assumptions made by conflict theorists about education as follows: First, society is divided and conflict-ridden, and groups compete for the control of the educational system to influence *whose* values and ideals will be taught, and *whose* children will land the desired jobs. Second, this competition between groups is unequal, because existing elites have more resources to influence decision-making and public opinion than their opponents. Third, while the *manifest* concern of schools is focused on teaching cognitive skills, their fundamental business is to maintain the status quo by teaching appropriate attitudes and values.

Section 4 applies conflict theory to the school choice context of post-Katrina New Orleans. After hurricane Katrina damaged or destroyed almost all schools in the city in 2005, the education infrastructure of the city had to be rebuilt. This was done in a manner favourable to school choice, where most public schools were moved under the control of Charter Management Organizations (CMOs) and thus became charter schools (Green, 2015). Since pre-Katrina New Orleans had one of the lowest educational outcomes in the nation, the Louisiana Department of Education argued that it could better serve the educational needs of poor and disadvantaged pupils by implementing the charter school approach to improve school

results (Green, 2015). Former Secretary of Education Arne Duncan even argued that “the best thing that happened to the education system in New Orleans was Hurricane Katrina (...) the progress that it made in four years since the hurricane is unbelievable” (Russom 2012: 118). However, critics argue that the dismantling of public education in New Orleans left its residents with an increasingly separate and unequal education system (Akers, 2012) which is highly racist (Dixson, Buras, and Jeffers, 2015; Henry and Dixson, 2016), and which has not produced the results promised by its initiators (Green, 2015). Millions of dollars provided by the federal government to promote equal access charter schools were oftentimes given to those charter schools which served the lowest number of disadvantaged children² (Green, 2015). Furthermore, charter schools in New Orleans were “an integral part of the blueprint to obliterate whole bargaining units, like United Teachers of New Orleans” (Russom, 2012: 132). Lastly, low-income students have fewer quality school options in their neighborhood, yet attend schools closer to home than their peers, likely caused by lack of resources, transportation, and information (Zimmerman and Vaughan, 2013). Whereas many of the foregoing scholars have argued that neoliberal reform has so far failed the education sector, scholars such as Noam Chomsky argue that this is not true, as it achieved what it intended: a success for the rich, a disaster for the poor (Chomsky, 2012a).

The last part of section 4 uses empirical literature and conflict theory to analyse the New Orleans education situation, in order to provide a sociological discussion of the ways in which a debate between interest groups with large power imbalances played out in a practical educational context where the destruction caused by a hurricane enabled the almost total

² This is in line with national inequitable funding trends: “The highest poverty districts in our country receive about \$1,000 less per student than the lowest poverty districts. The differences are almost twice as large — roughly \$1,800 per student — between districts serving the most students of color and those serving the fewest (Morgan and Amerikaner, 2018: 4).

implementation of neoliberal ideology. Section 5 revisits the two questions which guide this research:

- 1) What is the role of neoliberal ideology in the advocacy for and implementation of school choice in the United States?
- 2) What have been the results of neoliberalist advocacy for school choice in post-Katrina New Orleans, and how can conflict theory be used in its analysis?

The purpose of this paper is to understand the ideological, economic and socio-political processes present in the school choice debate, and to use sociological theory to critically analyse what is at stake underneath the different ideological positions of its main interest groups.

2. The school choice movement

During the 1990s, the political debate surrounding school choice became increasingly complex. New alliances and coalitions were being formed, in which some groups cooperated with each other despite being political opponents on other policy issues. The neoliberal, free-enterprise ideology was one of the most dominant forces in the school choice debate and other policy debates in society, which had been accelerated by the presidency of Ronald Reagan from 1981 to 1989. Since then, neoliberal ideology has permeated every sphere of life in the United States, as it is a total life philosophy based on “the ideal of competition and the marketization of everyday life” (McLaren 2012: 26). Neoliberals aim to privatize everything that can be commodified and sold for a profit, thereby extending market principles into the entire social world (McLaren 2012). This ideology has a major influence on the way the education system is being continuously reformed. The following section

discusses the main interest groups in the school choice movement (both advocates and opponents), their ideology and arguments, and the strength of their evidence. This section lays the foundation for section 3, where conflict theory will be applied to analyse the school choice context.

2.1 School choice advocates: Their ideologies, evidence, and proposed policies

Advocates for school choice can be found in different ideological corners. DeBray-Pelot, Lubienski and Scott (2007) listed 27 organizations and alliances which promote school vouchers and thus school choice³ (see Table 1). The widely varying ideological backgrounds of some of these groups would be diametrically opposed to each other when it comes to other political debates. As an illustration, this paper will discuss one organization of each ideological category in detail to identify where the different ideological alliances in favour of school choice place their emphasis when advocating for school choice. The categories Centrist/New Democratic and Center/Left are merged since the New Democratic Coalition presently identifies as center-left (Dabrowski, personal communication, 2018).

³ Not all supporters of school choice support vouchers, but by supporting vouchers, one is automatically a supporter of school choice as vouchers cannot exist without school choice.

Table 1: Alliances promoting vouchers. Source: DeBray-Pelot, Lubienski and Scott (2007: 217)

Alliances Promoting Vouchers

<i>Ideology/Political Stance</i>	<i>Organizations</i>
Libertarian	Cato, Alliance for Justice
Centrist/New Democratic	Progressive Policy Institute, National Alliance for Public Charter Schools, Education Sector
Center/Left	Center for American Progress
Neoconservative	Heritage, Fordham, Olin, Hudson, Manhattan Institute, Brookings, American Enterprise Institute
Neoliberal	Center for Education Reform, Bradley, Friedman, Walton, Daniel Foundations, Broad, Pisces, Fisher Family, New Schools Venture Fund
States' rights	American Legislative Exchange Council, Alliance for Justice
"New" civil rights	Black Alliance for Educational Opportunities, Hispanic CREO, Institute for Justice

Libertarian: the Cato Institute

Among the libertarians, one can find the Cato Institute, which “is committed to expanding civil society while reducing political society. The differences: In civil society individuals make choices about their lives while in a political society someone else makes or attempts to greatly influence those choices” (The Cato Institute, 2018). When it comes to education, they argue the following:

“To realize the positive effects of a *competitive education market*, school choice programs must ensure *autonomy and independence* for private schools and flexibility for public schools. Therefore, states should *not impose regulations* on existing private schools *or create regulatory barriers* that prevent new private school operators from *entering the market*. Only in this way will school choice produce the better education American children deserve.” (The Cato Institute, 2018 [emphasis added]).

It is clear that their argument is based on libertarian market principles: a free market (“competitive education market”, “entering the market”), individual liberty (“autonomy and independence”), and limited government (“states should not impose regulations or create

regulatory barriers”)⁴. The institute does not, however, provide solid evidence to support their libertarian arguments on education. For example, Corey DeAngelis, education policy analyst at the Cato Institute’s Center for Educational Freedom, argues that:

“Private schools have stronger incentives to cater to the needs of families than public schools. Because parents would not voluntarily send their children to dangerous institutions, unsafe private schools would have to improve security or shut down. On the other hand, most children are forced to attend, and parents are forced to pay for⁵, residentially assigned public schools whether they are safe or not. Children’s safety should be our No. 1 priority. *And the most rigorous evidence suggests that school vouchers are indeed tickets to safer schools*” (2018a [emphasis added]).

The “most rigorous evidence” to which he refers, however, does not measure actual school safety (e.g. the presence or absence of violence, bullying, and weapons), but instead is based on survey answers of parents. For example, Witte et al. asked parents questions such as: “Now, thinking specifically about [CHILD]’s school, how satisfied are you with each of the following?” (2008: 49), including ‘school safety’. They compared the answers of parents whose children attended Milwaukee Public Schools (MPS) or Milwaukee Parental Choice Program (MPCP) schools. DeAngelis is correct that MPCP parents were more likely to report to be “very satisfied” with the safety of their child’s school but fails to mention that when the ‘very satisfied’ and ‘satisfied’ categories are combined, 91.9% of MPCP parents and 81.8% of MPS parents fall in this “(very) satisfied” category, which is high in both cases and suggests overall school safety. The other research DeAngelis cites (Howell & Peterson, 2006; Wolf et al., 2013; Dynarski et al., 2018) also uses the perceptions of parents (and students as well, in the case of Dynarski et al.) rather than measurement of actual safety in schools. This is very

⁴ These principles, however, are not strictly libertarian. They are also important in neoliberal ideology.

⁵ This is not true. Public schools are free to attend. They are paid for through taxes, contrary to private schools.

important methodologically, yet DeAngelis of the Cato Institute uses these four⁶ studies to claim to have “the most rigorous evidence” that school vouchers are tickets to safer schools. Other Cato reports are based on similarly weak or biased evidence. In other Cato publications, the evidence that is referred to is oftentimes written by Cato employees such as DeAngelis, published in the *Journal of School Choice*, conducted by the University of Arkansas Department of Education Reform, and/or is published by like-minded think-tanks, which are all in favour of school choice. Rarely does Cato refer to academic peer-reviewed work.

Furthermore, in an article laying out the benefits of private schools, the Cato Institute argues that whereas “the strongest scientific evidence” suggests that private school choice works, this evidence “really shouldn’t even matter” (DeAngelis, 2018b). He argues: “Just as people have the right to pick their own groceries, people should have the right to pick the schools that they believe will work best for their own kids” (DeAngelis, 2018b). Despite this argument for the lack of a need for scientific evidence, he refers to a few studies that underscore the benefits of private schools. One of these focuses on tolerance and civic engagement. It finds that private school choice programs have large positive effects on students’ levels of tolerance and civic engagement:

“researchers asked the students to identify the group (such as Nazis or the K.K.K.) that they agreed with the least. Interestingly, the next three questions gauged tolerance levels by asking the students if they would allow members from the disliked group to: (1) have the right to free-speech, (2) run for president, and (3) live in their

⁶ Two of the four studies cited by DeAngelis are co-authored by Patrick J. Wolf, who works with DeAngelis at the School Choice Demonstration Project (SCDP), which states to be “devoted to the rigorous and *unbiased* evaluation of school choice programs *and other school improvement efforts* across the country” (University of Arkansas, 2018 [emphasis added]). The double employment of an individual working as education policy analyst for a libertarian think tank and a research project focused on school choice at the University of Arkansas’ Department of Education Reform, is an example of the close connections between influential think tanks and the research produced on school choice. Section 3 will discuss such close connections in more detail. Lastly, the evaluation of these programs cannot be ‘unbiased’ when the SCDP speaks of “school choice programs *and other school improvement efforts*”, thus already defining school choice positively as an improvement effort.

neighborhood. Interestingly, the responses to all three of those questions indicated that the voucher program increased students' tolerance of others by over 50 percent." (DeAngelis, 2018c).

However, it is highly debatable whether allowing Nazis or members of the KKK to have the right to free speech, run for president or live in their neighborhood is a sign of tolerance or civic engagement. Such persons and their ideologies represent an immediate danger to the safety and wellbeing of innocent people. Nazis and the KKK have been responsible for the killing and terrorizing of millions of people (including Jews, Black people, members of the LGBTQ+ community, people with disabilities, and gypsies) over the past 150 years. To allow them freedom of speech and the ability to run for president is thus not a civic value, it is the opposite. When these groups are given power, they can more easily enact their intolerant ideologies. As Karl R. Popper argued, the paradox of tolerance is that

"unlimited tolerance must lead to the disappearance of tolerance. If we extend unlimited tolerance even to those who are intolerant, if we are not prepared to defend a tolerant society against the onslaught of the intolerant, then the tolerant will be destroyed, and tolerance with them. In this formulation, I do not imply, for instance, that we should always suppress the utterance of intolerant philosophies; as long as we can counter them by rational argument and keep them in check by public opinion, suppression would certainly be unwise. But we should claim the right to suppress them if necessary even by force; for it may easily turn out that they are not prepared to meet us on the level of rational argument, but begin by denouncing all argument; they may forbid their followers to listen to rational argument, because it is deceptive, and teach them to answer arguments by the use of their fists or pistols. We should therefore claim, in the name of tolerance, the right not to tolerate the intolerant" (1945: 226).

In the case of Nazis and the KKK, Popper's argument becomes evident. These groups denounce rational arguments and instead use violence to propagate and practice their ideologies. If private school students have a higher level of tolerating such groups than public school students, then this is not a positive effect of private schooling, and it is not a sign of successful civic engagement. Instead, it is a strong sign of a lack of political awareness. With

the rise of Nazism and racist attacks in the United States under Donald Trump, the Cato Institute makes an argument that does not hold ground.

[Center-left/New Democratic: The National Alliance for Public Charter Schools](#)

The National Alliance for Public Charter Schools (NAPCS) is categorized by DeBray-Pelot, Lubienski & Scott (2007) as a centrist/New Democratic group. Since the New Democratic Coalition has not clearly defined its ideology on its website, I contacted them via email, and their communications director Natasha Dabrowski (personal communication, July 26, 2018) defined them as center-left. This is different from the description of ‘centrist’ used by DeBray-Pelot, Lubienski & Scott. This paper will use the coalition’s self-identification as center-left and therefore merge the Centrist/New Democratic category with the Center/Left category of Table 1.

New Democrats are “committed to pro-economic growth, pro-innovation, and fiscally responsible policies” (New Democrat Coalition, 2018). They define themselves as “a solutions oriented coalition seeking to bridge the gap between left and right by challenging outmoded partisan approaches to governing. New Democrats believe the challenges ahead are too great for Members of Congress to refuse to cooperate purely out of partisanship” (New Democrat Coalition, 2018) and are socially liberal. The NAPCS portrays itself as socially liberal too, for example by celebrating an Ohio charter school on its website which aims to open by August 2018, which will be an intentionally and explicitly LGBTQ affirming school (2018b). The NAPCS “occupies a critical role in the charter movement as a leader in federal education policy and as a prominent voice, determined to improve state charter policy and advocacy” (NAPCS, 2018c) with the mission

“to lead public education to unprecedented levels of academic achievement by fostering a strong charter movement. We stand for public school options that put families in

charge of choosing their child’s education, principals in charge of running their schools, and teachers in charge of leading their classrooms, and have high standards for every student and give every student the support they need to meet those standards.” (NAPCS, 2018c).

However, the best way to know what the NAPCS stands for, is to study the Model Act which it published in 2016, titled “A model law for supporting the growth of high-quality charter schools” (2016a). It is authored by a working group which includes individuals who work for other organizations mentioned in Table 1, such as Education Sector and the Black Alliance for Educational Opportunities, but also an important donor to the school choice movement which is not mentioned in Table 1: The Bill & Melinda Gates Foundation. The NAPCS aims to get this Act implemented in every state of the United States and it thus reflects well what interests the organization represents. The Model Act is 45 pages long and constitutes the complete template of an Act in which lawmakers only need to insert names and dates applicable to their state, such as in Act V(3)(a):

“The [INSERT NAME OF EXISTING STATE ENTITY TASKED WITH AUTHORIZER OVERSIGHT] shall publicize to all school boards the opportunity to register with the state for chartering authority within the school districts they oversee. By [INSERT DATE] of each year, the [INSERT NAME OF EXISTING STATE ENTITY TASKED WITH AUTHORIZER OVERSIGHT] shall provide information about the opportunity, including a registration deadline, to all school boards” (NAPCS, 2016: 46).

Every year, the NAPCS ranks the laws of each state in the U.S., based on how closely their laws regarding charter schools align with their Model Act. In 2018, Indiana led the list, followed by Colorado and Washington. At the bottom of the list are Alaska (#43), Kansas (#44) and Maryland (#45) (2018d).

Whereas the NAPCS says it stands for public school options that put “principals in charge of running their schools” (2018c), its Model Act proves otherwise. The Act focuses strongly on enabling a charter school to contract an ‘education service provider’, which is defined under Act III(7) as “a for-profit education management organization [EMO], nonprofit charter management organization [CMO], or any other partner entity with which a charter public school contracts for educational program implementation or comprehensive management.” (NAPCS, 2016: 41). The management of the charter school is then, therefore, no longer in the hands of the principal, which contradicts the earlier statement of the NAPCS.

In the 2015-16 school year, 27% of charter schools were managed by non-profit CMOs and 14% by for-profit EMOs (NAPCS, 2016). Whereas the NAPCS suggests that the percentage of charters managed by for-profits is small⁷, the charter school community has received criticism from opponents to charter schools for the, at times exorbitant, salaries they provide to their executives. These salaries are often high regardless of whether the charter school is affiliated with an EMO or CMO or not. For example, Appendix 1 shows that the annual salaries of the highest paid executives of charter schools in D.C. *without* management organizations range from \$87,850 – \$356,748⁸. Appendix 2 illustrates the salaries of the highest paid executives of charter schools in D.C. *with* management organizations or other related companies, and the salaries of the highest paid executives of the management organizations with which each school is affiliated. Annual salaries of the highest paid school

⁷ In the FAQ on its website, the question “Are charter schools nonprofit?” is answered as such: “Yes, the overwhelming majority of charter schools are nonprofit organizations. Some states allow for-profit organizations to manage charter schools, but that accounts for less than 15% of charter schools across the country. Regardless, all charter schools are free to attend” (2018e)

⁸ These salaries do not correlate with the number of students attending a school or the school income. For example, the Tree of Life charter school has 314 pupils, and its executive director makes 198,761 per year. The Cesar Chavez charter school has 1,436 pupils, and its chief operating officer earns 159,659 per year, despite having 4.5 times the number of students and therefore a school income which is also 4.5 times as large as that of Tree of Life (Washington Post, 2014)

employees range from \$90,418 – \$328,744, and the salaries of the affiliated management organizations (whether for-profit or non-profit) range from \$147,000 – \$1,275,625 for their highest paid executives. As can be seen in Appendix 2, these salaries have no relationship with the number of students in a given school, nor with whether the management company status is for-profit or non-profit (Washington Post, 2014). What is clear is that the creation of charter school management organizations has created very financially rewarding occupations for individuals. It also shows that while the ‘Public’ in ‘Public Charter Schools’ would suggest that the NAPCS is not concerned with for-profit enterprises, the Model Act proves that the organization works to enable the transformation of the public education sector into a market where charter school leaders are able to spend high amounts of tax dollars on private for-profit corporations for the management of their schools, where previously these did not exist.

[Neoconservative: The Heritage Foundation](#)

The Heritage Foundation is a highly influential conservative think tank (The Heritage Foundation, 2018a) whose mission it is to “formulate and promote conservative public policies based on the principles of free enterprise, limited government, individual freedom, traditional American values, and a strong national defense” (The Heritage Foundation, 2018b). It maintains that “effective education policy includes returning authority to the states and empowering parents with the opportunity to choose a safe and effective education for their children” (The Heritage Foundation, 2018c). The foundation has powerful connections. For example, it is the home of the DeVos Center for Religion and Civil Society, founded by Richard and Helen DeVos. They are the parents of Richard DeVos Jr., who is married to Secretary of Education Betsy DeVos.

The evidence which Heritage uses on an almost yearly basis for its advocacy for school choice (for example, in the commentaries by its employees Tkacik, 2006; Burke, 2011a, 2011b, 2012, 2014; Lips, Marshall, Burke, Sheffield, Richwine, and Walter, 2013) is written by Greg Forster of the Friedman Foundation of Educational Choice⁹. Forster, in the first, second and third edition of this paper, discusses the empirical studies performed by others on school choice and claims that none of them find a negative effect, few find no visible effect, and the large majority finds a positive effect on a number of issues (see Table 2 for the numbers in the third edition of the Foster report): the academic outcomes of choice participants, the outcomes of public schools which face competition by school choice, fiscal impact on taxpayers, the reduction of racial segregation in schools, and civic values and practices such as respect for the rights of others and civic knowledge. These findings are contradicted by other studies not mentioned by Forster (for example, Frankenberg & Lee, 2003¹⁰; Akers, 2012; Anderson, 2016; Zimmerman & Vaughan, 2013) yet the Heritage Foundation uses this report consistently as its “gold standard” (Forster, 2013) scientific evidence for its school choice advocacy. Forster himself is also a contributor to The Heritage Foundation’s online reports as a Senior Policy

⁹ This foundation is a “nonprofit and nonpartisan organization, solely dedicated to advancing Milton and Rose Friedman’s vision of school choice for all children (...) the Foundation continues to promote school choice as the most effective and equitable way to improve the quality of K-12 education in America” (Forster 2013: ii [emphasis added]). This indicates that the report is written with the explicit agenda of advancing school choice, not with a neutral aim of investigating its advantages and disadvantages, just like the other contributions on the Heritage website. The language used in by Forster also indicates that it is not an unbiased scientific study. It continuously speaks of public schools as a ‘government monopoly on schooling’, and ‘government monopoly school system’, words that clearly have a negative connotation when used by conservatives who support a free market and limited government. Therefore, the value of the evidence in the report is questionable. Lastly, Friedman was an economist, not an educator or education scholar, and did not base his school choice argument on educational expertise.

¹⁰ Frankenberg & Lee (2003), found that statistically, “black students are enrolled in charter schools—as well as intensely segregated minority charter schools—at a rate nearly twice their share of the public school population. Despite higher minority enrollments in charter schools, however, we still see in a number of states that whites are racially isolated. (...) regardless of white share of the entire charter school enrollment, black students in charter schools experience high levels of racial isolation and are exposed to very low percentages of white students. There is little evidence from this analysis that the existence of charter schools helps to foster more integrative environments, especially for minority students” (2003: 36).

Analyst (Forster, 2009), which means that the strong reliance of The Heritage Foundation on his study suggests possible bias.

Table 2: Empirical studies on school choice. Source: Forster, 2013: 2

Empirical Studies on School Choice

	Positive Effect	No Visible Effect	Negative Effect
Academic Outcomes of Choice Participants	11	1	0
Academic Outcomes of Public Schools	22	1	0
Fiscal Impact on Taxpayers	6	0	0
Racial Segregation in Schools	7	1	0
Civic Values and Practices	5	2	0

Note: Shows the number of empirical studies with each type of finding. The first row includes all studies using random-assignment methods. Other rows include all studies using all methods.

When it comes to education policy, there are several things which The Heritage Foundation advocates for. One is the implementation of education savings accounts (ESAs). These are

“bank accounts which include a debit card that the state awards to parents of eligible children (...) and parents can use the card directly or through online services like PayPal to make purchases (...) An ESA allows parents to use the money to pay for *private school tuition* for their child, textbooks, tutoring, or to save for college. Approved expenses also include educational therapy, online classes, standardized testing, college tuition, and individual public school classes and extracurricular activities” (Burke, 2013).

This system is thus explicitly designed to divert funds away from public schools. For example, in Arizona, parents who receive an ESA have to sign a contract with the state’s Department of Education, which specifies that they should “provide their child with an education in at least the subjects of reading, grammar, mathematics, social studies, and science, *and will not enroll their child full time in a public school (traditional or charter) while using an ESA* (though parents can purchase individual public school classes or pay for extracurricular activities that take place at public schools)” (Burke, 2013 [emphasis added]). By prohibiting full time

enrollment into public school, there is an explicit push towards the enrollment into private schools.

The Heritage Foundation also advocates for tax credit scholarship programs. Under these programs, companies can receive dollar-for-dollar tax credits for donations they make to scholarship funding organizations (SFOs) which enable students to attend private schools using scholarships to pay for tuition and fees. In 2008-09, more than 104,000 students attended private schools through such programs nationally, which is more than the approximately 60,000 students who used private school vouchers (Figlio and Hart, 2011). In 2016, these numbers had increased to 225,834 students using tax credit scholarships, 166,579 students receiving vouchers, and 6,857 students using ESAs (EdChoice, 2016).

In Florida, for example, the program was established in 2001 to “expand education opportunities for children from families that have limited financial resources and enable children to achieve a greater level of excellence in their education” (Florida Department of Education, 2018a). However, the focus is no longer solely on families with limited financial resources. In 2010, Florida relaxed its eligibility rules to include children from families who had incomes up to 230 percent of the poverty level (Figlio and Hart, 2011), and in 2016-17, depending on the availability of funds, this was expanded to 260 percent of the federal poverty level (Florida Department of Education, 2018b). That year, \$536 million was awarded in scholarships to 98,936 students who attended 1,733 private schools in Florida, representing a 25 percent enrollment increase compared to 2015-2016. Each scholarship is worth \$5,886.

In other states which have use tax credit scholarships, eligibility has been expanded to up to 300% of the poverty line (which can no longer be qualified as low-income). Table 3

shows the distribution of scholarship dollars by the AAA Scholarship Foundation, one of the nation's SFOs for each income category based off the poverty line.

Table 3: Percentage of Income-Based Scholarship Dollars Awarded by Household Income Level awarded by AAA Scholarship Foundation, Inc. Source: AAA Scholarship Foundation, 2018

Fiscal Year 2017-2018	Percentage of Poverty as Defined by the US Dept of Health and Human Services*				Total
	<=185%**	186% – 200%	201% – 225%	226% – 300%	
Alabama	95.5%	0.0%	3.3%	1.2%	100%
Arizona	91.6%	4.3%	3.5%	0.6%	100%
Florida	73.9%	9.9%	9.5%	6.7%	100%
Georgia	94.8%	3.6%	0.7%	0.9%	100%
Nevada	76.6%	8.7%	7.4%	7.3%	100%
Pennsylvania	59.6%	22.7%	10.6%	7.1%	100%
All Programs	84.0%	6.6%	5.8%	3.6%	100%

Nationally, tax credit programs represent a significant wealth transfer from taxes which otherwise would have gone to the government treasury – which funds public schools and other public goods – to private schools which are owned by private entities. Heritage is positive about the development of such tax credit programs and advocates for more of them.

The tax credit program does not only divert otherwise public money to private entities. It also enables the financing of religious education. For example, from the private schools that participate in the Florida tax credit scholarship program, 68 percent are religious, and 32 percent are not religious (Florida Department of Education, 2018b). This means that tax credit scholarships can be regarded as a violation of the separation between church and state (National Conference of State Legislatures, 2018), and therefore unconstitutional, something the Heritage Foundation does not regard as a problem. To the contrary, it shares and celebrates the research by Jeynes, a researcher at Baylor University, which found that “private religious schools have a positive academic effect on all students. Moreover, these schools provide

greater benefits to students from the poorest families and minority students. The result is that private religious schools have a much narrower achievement gap than their public school counterparts” (Carafano, Lane, Cilluffo and Weitz, 2007). This is the only study provided as evidence for the argument that private religious schools can close the achievement gap, and it may be biased since Baylor University is a private religious (Christian) university itself. Nevertheless, the authors of The Heritage Foundation argue that “allowing disadvantaged students to choose schools like these is a promising solution to this persistent problem” (Carafano, Lane, Cilluffo and Weitz, 2007).

Neoliberal: The Walton Family Foundation

Since section 2.3 will discuss the role of neoliberalism in the advocacy for school choice in greater depth, this section does not discuss neoliberal ideologies, evidence or policy proposals in detail due to considerations of space and the avoidance of repetitiveness. Instead, it highlights the contradictions of the labour policies of large neoliberal corporations, in juxtaposition with their associated charitable foundations which fund school choice. This is an important discussion, because corporate labour policies have direct effects on the educational and other opportunities of their workers and their children, the same children their foundations want to help by funding school choice programs.

The neoliberal category in Table 1 is the category with the highest number of charitable organizations. Out of the nine organizations listed, six are foundations owned by wealthy families, namely the Bradley, Friedman, Walton, Daniel, Broad, and Fisher Foundations (DeBray-Pelot, Lubienski and Scott, 2007). These family foundations support the school choice movement and fund the education sector with large donations, arguing that they want to support children of low-income, disadvantaged families. At the same time, the companies

with which some of them made their fortunes pay most of their workers a minimum wage and their lobbyists (including lobby groups such as ALEC, which is discussed next) advocate for lower corporate taxes. Whereas the charitable efforts of these families are laudable, critics have argued that the donations they make through their foundations represent only a small percentage of what their companies would have spent if their employees were paid a living wage and if they paid their fair share of corporate taxes (Jacobs, Perry, and MacGillvary, 2015; Smiley, 2015; Sanders, 2014 & 2016). Since parental wealth plays a significant role in the educational outcomes of children (Haveman & Wolfe, 1995; Kim & Sherraden, 2011; Zhou & Mendoza, 2017), it is worth discussing the role that these wealthy families play in the education sector, and how the charitable efforts of their foundations contrast with the neoliberal practices of their companies which have far-reaching consequences for the entire population, not just their workers. The focus in this section lies on the Walton family, founders of Walmart and the Walton Family Foundation (WFF), since Walmart is the largest employer in the United States and the family's foundation is a highly influential advocate of and financial donor to the school choice movement.

The WFF argues that “the most important thing we can do to give young people the opportunity to succeed is to make sure they have a high-quality education that works for them. This means supporting the growth of schools that transform the lives of children, especially those from low-income communities” (Walton Family Foundation, 2018). The founders of the WFF, Sam and Helen Walton, aimed to “improve lives by expanding access to educational and economic opportunity” (Walton Family Foundation, 2018c). In the past two decades, the foundation has “given more than \$1 billion to support better schools for America's children” (2018c). More than a third of this amount went to the creation of “high quality school options”:

25% of all charter schools has received start-up funds from the foundation. The WWF's K-12 Education Strategic Plan argues that

“Over the last decade, the foundation has invested deeply in researching the impact of charter schools on the students and communities they serve. *We know that not every charter school fulfills its promise* just as we know that not every state has a regulatory framework that nurtures excellence, encouraging high-quality charters to grow and ensuring that under-performing ones close. On balance, *however*, it is clear that *most charter schools have a positive impact on student learning*, and that most *urban* charter schools, serving students who otherwise would not have access to great schools, are helping students beat the odds and showing the way for other schools to do the same” (2016: 3 [emphasis added]).

The evidence for these claims is solely based on a study of the Center for Research on Education Outcomes (CREDO), titled ‘Urban Charter School Study: Report on 41 Regions’ (CREDO 2015). It found that students in urban charter schools have higher learning growth compared to their peers in traditional public schools (TPS): 40 additional days in math and 28 days of additional growth in reading. The study seems to be done in an unbiased manner, according to academic standards, by a university. However, the WWF does not make mention of CREDO’s National Charter School Study, which includes non-urban schools, and which found that the national average impact of charter enrollment was only 7 additional days of learning per year in reading (0.01 standard deviations), with no significant difference in math (CREDO 2015). It thus selects only the CREDO study which supports its position, and not a larger study done by the same institute which finds a relatively weak impact of charter schools on student achievement on a national level. It also ignores the CREDO study done in New Orleans, which showed similarly weak results of charter schools and on certain indicators even a negative effect (CREDO, 2018). This study is discussed in detail in sections 4.3 and 4.4.

The crux of this situation lies in the following: whereas the evidence for the claims of the WFF rests on a single study, there is a large body of research that has established the relationship between parental income/wealth and educational achievement of children (discussed in Haveman & Wolfe, 1995; Smith, Brooks-Gunn, & Klebanov, 1997; Kim & Sherraden, 2011; Zhou & Mendoza, 2017). Despite the importance of a living wage for working families and the effects of parental income on the education opportunities, health and wellbeing of their children (Duncan & Brooks-Gunn, 1997), corporations such as Walmart have a disproportionate number of workers on public assistance. Thereby, they have “deeply embedded their labor costs onto society, allowing them to further maximize profits for those at the top” (Smiley, 2015: 70). Jacobs, Perry, and MacGillvary state that

“Stagnating wages and decreased benefits are a problem not only for low-wage workers who increasingly cannot make ends meet, but also for the federal government as well as the 50 state governments that finance the public assistance programs many of these workers and their families turn to. Nearly three-quarters (73 percent) of enrollees in America’s major public support programs¹¹ are members of working families; the taxpayers bear a significant portion of the hidden costs of low-wage work in America” (2015).

Due to the low-wages of its workers which necessitate the use of public assistance programs, the presence of a Walmart store costs taxpayers money: approximately US\$2,103 per employee in a Walmart store with 200 employees (Jacobs, Perry, and MacGillvary, 2015). If Walmart and other corporations would raise the wages of their employees and provide adequate health care coverage, then these workers would not need to be on public assistance. This would enable the \$152.8 billion which was spent yearly between 2009 and 2011 on public assistance

¹¹ Such as Medicaid, the Children’s Health Insurance Program (CHIP), Temporary Aid to Needy Families (TANF), Earned Income Tax Credit (EITC) and the food stamps program (Supplemental Nutrition Assistance Program, or SNAP).

programs for working families (Jacobs, Perry, and MacGillvary, 2015) to be spent on other public goods, such as education. Since the average cost of a Walmart employee to the taxpayer is \$2,103, and since there are over 1.5 million Walmart employees in the United States (Walmart, 2018), Walmart creates more than a \$3.1 billion in costs to taxpayers. Compared with these numbers, the \$1 billion which the WFF has donated to the education sector over a course of more than 20 years (which is on average less than 50 million per year) seems rather bleak.

From a neoliberal point of view, the approach of the Walton family is very successful. Walmart has become the largest company by revenue in the world, the largest private employer in the world and in the United States, and the Walton family is one of the richest families in the world, with an estimated wealth of \$174.9 billion (Wikipedia, 2018a & 2018b). This is made possible by the competitive prices of Walmart products, and those prices are enabled by shifting a significant part of the costs of labour onto society. Walmart's labour policies have direct effects on the educational and other opportunities of their workers' children, the same children the Walton Family Foundation says it wants to help through school choice options.

[States' rights groups: American Legislative Exchange Council](#)

The American Legislative Exchange Council (ALEC) is a group comprised of almost a quarter of America's state legislators and stakeholders from the business and policy sector. Its members are proponents of a limited government, free markets and federalism, and ALEC aims to "lead national conversations on free market thought" (American Legislative Exchange Council [hereafter ALEC], 2018a). ALEC members who are state legislators represent more than 60 million Americans, and businesses associated with ALEC employ more than 30 million people in the United States (ALEC, 2018a). ALEC focuses on a broad number of issues,

including education. Its Education and Workforce Development Task Force has as its mission: “to promote excellence in the nation’s educational system, to advance reforms through parental choice, to support efficiency, accountability, and transparency in all educational institutions, and to ensure America’s youth are given the opportunity to succeed” (ALEC, 2018b).

ALEC considers the public education system to be “monopolistic” and argues it fails the American student population for not preparing them for college, careers or life. Rather than investing in public education, it wants to apply the pressure of competition to schools by expanding school choice initiatives such as charter schools, voucher programs, tax credit scholarships, homeschooling, and education savings accounts, in order for educational institutions to “compete with each other to provide the best product, just like providers of any other service” (ALEC, 2018c).

Similar to the National Alliance for Public Charter Schools (NAPCS), ALEC uses model acts/policies which make it easier for state legislators to submit policy proposals to their state legislature. A good example of ALEC’s promotion of privatization of education and the involvement of for-profit corporations in the education sector is their model policy ‘The Education Savings Account Act’ (ALEC, 2018d). Section 2(F) of this Act restricts the participation of schools which can participate in the ESA program to private schools only, thus explicitly diverting students and thus tax money from public to private schools. Section 3(C) sets out which expenses the ESA funds may be spent on and includes “fees for account management by private financial management firms approved by the Department” (see Appendix 3 for the full list of eligible expenses). Section 4(A) specifies that the Department of Education of a state (in the Act called ‘Department of Public Instruction’) will qualify private financial management firms or similar private entities to manage Education Savings

Accounts, and Section 4(E) enables the Department to “deduct an amount from the grants to education savings accounts to cover the costs of overseeing the accounts and administering the program up to a limit of X percent”. Section 4(F) states that the Department “shall establish reasonable fees for private financial management firms participating in the program based upon market rates” (ALEC, 2018d). However, ‘market rates’ of private financial management firms are set at a for-profit level, indicating that ALEC members explicitly advocate for turning education into an increasingly for-profit industry: from channeling students from public into private education, and from government management of education funds to private management of these funds at market rates. Additionally, a private school can only qualify to participate in the ESA program if it is already a wealthy school: Section 5(B)(2) states that schools, in order to qualify, must

“demonstrate their financial viability by showing they can repay any funds that might be provided from Education Savings Accounts, if they are to receive \$50,000 or more during the school year, by:

(a) Filing with the Department prior to the start of the school year a surety bond payable to the state in an amount equal to the aggregate amount of the funds from Education Savings Accounts expected to be paid during the school year from students admitted at the qualifying school; or

(b) Filing with the Department prior to the start of the school year financial information that demonstrates the school has the ability to pay an aggregate amount equal to the amount of the funds from Education Savings Accounts expected to be paid during the school year to students admitted to the qualifying school.” (ALEC, 2018d).

This provision in the Act privileges established private schools that have sufficient financial reserves to adhere to these regulations.

Additionally, section 5(E) makes it impossible for the Department or another state agency to “in any way regulate the educational program of a participating private school or education provider that accepts funds from an education savings account”. This provision

enables private schools to, for example, teach children religious ideologies even when those contradict scientific facts, and still receive tax dollars for this type of education. In the past, religious schools were private schools for which parents had to pay themselves.

Lastly, despite the Education and Workforce Development Task Force's mission of supporting accountability and transparency in all educational institutions (ALEC, 2018b), the Act allows private schools participating in the ESA program "to occasionally fail to meet an accountability standard so that an antagonistic regulator cannot shut down the program by banning schools with a modest occasional violation such as turning in a report late" (ALEC, 2018d).

Based on the publicly available data posted on ALEC's website, there is limited scholarly research in the area to support the organization's policies. The Act does not refer to academic research that would support its goals, and neither do other ALEC publications. Rather, reports from other pro-school choice institutes and ALEC's own reports are used as evidence supporting their claims. An example is ALEC's 2016 report "The pernicious myth of the underfunded American education system" by Inez Feltscher¹². Her main argument is that increases in funding for public education have not increased academic achievement of students, and that in a number of states, declines in funding have not led to lower test scores.

¹² The report contains numerous spelling, grammar and syntax errors, and the last sentence of its conclusion contains a mistake: it states that "there is no evidence that paying more money into a failing system won't produce higher academic achievement or better life outcomes for students" (Feltscher, 2016: 8) when her argument is the opposite: that there is no evidence that paying more money into a failing system will produce higher academic achievement or better life outcomes for students. The omnipresence of errors in this report suggests it is not peer-reviewed.

Improvement/Decline in NAEP 8th Grade Reading (2015 minus 2003 scores in scale points) by Increase (Decline) in Constant Dollar Spending per Pupil 2002 to 2013 (Sources: NAEP, Digest of Education Statistics)

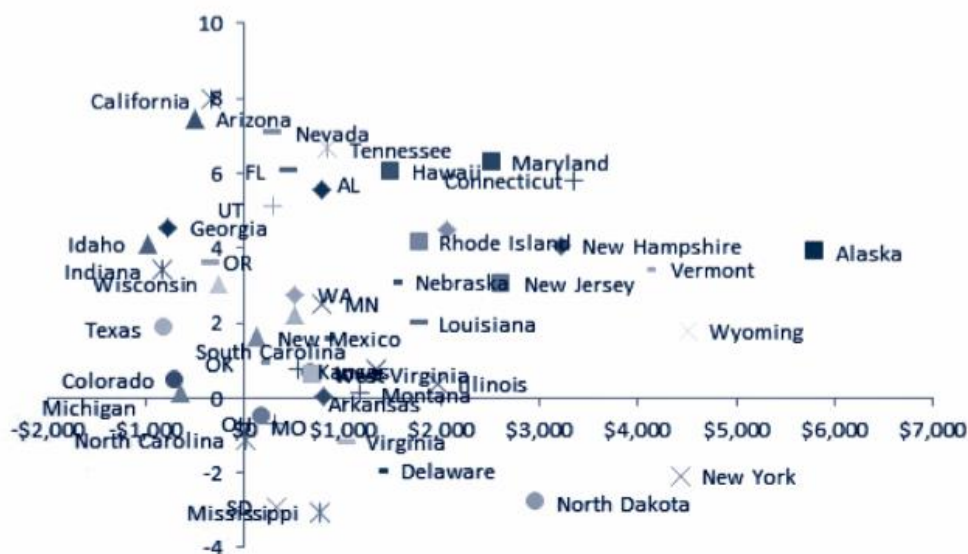


Figure 1: Improvement/Decline in NAEP 8th Grade Reading (2015 minus 2003 scores in scale points) by increase (decline) in constant dollar spending per pupil 2002 to 2013. Source: Feltscher, 2016: 4.

However, a graph which is included in the report (see Figure 1) shows that the majority of states still fall in the upper right corner of the graph where spending per pupil increased and reading scores increased. It is also evident that a much lower number of states fall into one of the other three possibilities (funding increase and reading scores decrease; funding decrease and reading scores increase; funding decrease and reading scores decrease). This contradicts Feltscher's argument that there is no evidence that spending more money on education improves test scores: most states that increased funding per pupil saw an increase in reading scores, not a decrease.

When analysing the sources upon which Feltscher bases her argument, the following can be witnessed: 3 references in the report are from a blog¹³, 4 are online news articles, 1 is written by another employee of ALEC, 7 are authored by herself and published on the ALEC website or elsewhere, 2 are by the Cato Institute, 5 are by Lindsey Burke of the Heritage Foundation, 5 are governmental websites, and only 2 are references to studies, which are not academic peer-reviewed: One of these two studies is published by the Mackinac Center for Public Policy, which is a think-tank that “advances the principles of free markets and limited government” and “challenge[s] government overreach and advocate[s] for free-market approaches to public policy that free people to realize their potential and their dreams” (Mackinac Center for Public Policy¹⁴, 2018). The second is written by DeAngelis and Wolf, which have been discussed in the section on the Cato Institute. They both work for organizations and departments which explicitly aim to advance school choice, and their neutrality and objectivity are therefore questionable. This means that ALEC’s Feltscher report, which makes strong claims about the relationships between funding and educational outcomes, is not based on a single academic peer-reviewed source, but on the works of like-minded organizations and institutions which promote privatization of education. This is also the case for other publications on ALEC’s website.

¹³ The blog is by Jay P. Greene, who is “the endowed professor of education reform at the University of Arkansas” (Greene, 2018), the same university which has been discussed earlier in Footnote 6. His blog has contributions by Greg Forster, the author who works for the Friedman Foundation for Educational Choice, whose report is discussed above in the section on The Heritage Foundation. The Greene blog is not academic, illustrated for example by the fact that Forster provides an anti-feminist movie review of *The Incredibles 2* on it (Forster, 2018).

¹⁴ The Mackinac Center is a member of the neoliberal State Policy Network, which is discussed in section 3, under assumption 2.

“New” civil rights organizations: The Black Alliance for Educational Opportunities

Out of the three “new” civil rights organizations listed in Table 1, both the Black Alliance for Educational Opportunities (BAEO) and Hispanic CREO are no longer active. The only remaining organization is the Institute for Justice, but this is not a civil rights organization. It is a law firm which “litigates to limit the size and scope of government power and to ensure that all Americans have the right to control their own destinies as free and responsible members of society” (Institute for Justice, 2018). They fight in court against the government in cases such as civil forfeiture and free speech, and their work for school choice involves legal work in court. Whereas BAEO focused on school choice for Black children and Hispanic CREO on school choice for Hispanic children, the Institute for Justice (IJ) does not represent any particular ethnic group but takes individual school choice cases of parents when these can further their mission of limiting government power. In a phone conversation, they indicated that they would not qualify themselves as a civil rights organization (personal communication, 2018). This category of Table 1 is therefore excluded from analysis in this paper.

2.2 School choice opponents: Their ideologies, evidence, and proposed policies

The foregoing section suggests that DeBray-Pelot, Lubiencki and Scott are correct when they argue that school choice is an *ideological* issue, because policy debates are largely disputed on ideological grounds “in lieu of a substantial and compelling evidentiary basis” (2007: 211) for school choice. Table 5 lists two ideological categories which oppose school choice: public school advocates and traditional civil rights organizations. This section investigates the evidentiary basis of these opponents to school choice.

Alliances in Opposition to Vouchers

<i>Ideology/Political Stance</i>	<i>Organizations</i>
Public school advocates	National Education Association, American Federation of Teachers, American Association of School Administrators, National School Boards Association, Council of Chief State School Officers, National Association of State Boards of Education, National Alliance of Black School Educators
Traditional civil rights	National Association for the Advancement of Colored People, National Urban League, Mexican-American Legal Defense and Education Fund, Association of Community Organizations for Reform Now

Table 5: Alliances in opposition to vouchers. Source: DeBray-Pelot, Lubienski and Scott, 2007: 217.

Public school advocates: American Federation of Teachers

The American Federation of Teachers (AFT) defines itself as “a union of professionals that champions fairness; democracy; economic opportunity; and high-quality public education, healthcare and public services for our students, their families and our communities. We are committed to advancing these principles through community engagement, organizing, collective bargaining and political activism, and especially through the work our members do” (2018a). The AFT argues that the public education system (pre-K through college) must “be strong and supported, not privatized or defunded, so it can help [students] develop skills and knowledge, to maximize their opportunities and foster respect and understanding” (2018b). As such, they provide a sustained criticism of the school choice advocacy of current Secretary of Education, Betsy DeVos. They argue that she was not qualified for this position when she was confirmed, and that she is still not qualified, for a wide variety of reasons (2018c, 2018d). An AFT Resolution on DeVos and her school choice agenda states that

“her goal is to hurt, not help, public education (...), she has demonstrated no further interest in visiting, listening to or learning about public schools and their students, educators or communities, preferring instead to visit only private schools and charter schools that fit her “choice” agenda, and (...) while DeVos often speaks of “choice,”

she never lifts up public schools as quality choices, showing that this rhetoric of choice cloaks her true education agenda, which is to defund and destabilize public education in America, from early childhood through college; (...) the DeVos agenda of privatization and disinvestment – which is the result of an intentional, decades-long campaign to protect the economic and political power of the few against the rights of the many – has taken the form of division and expresses itself as racism, sexism, classism, xenophobia and homophobia; (...) with the support of the Trump administration, DeVos proposed nearly \$9 billion in unprecedented cuts in education programs, including eliminating class-size reduction, after-school and professional development programs; (...) even the Republican-led Congress has rejected the DeVos proposal for a federal voucher program and has so far rejected her proposal to slash the federal investment in public education; (...) under DeVos’ leadership, the Department of Education has favored wealthy former for-profit college executives over students (...) DeVos is failing to listen to those who educate in, learn in and send their children to public schools—the schools that 90 percent of America’s children attend” (2018c [emphasis added]).

The AFT calls on DeVos to do her job “by prioritizing and championing public schools and public school students, parents and educators” (2018c) and resolves it “will work to defeat the DeVos agenda because of the danger her policies and agenda pose to public education and our students; and (...) will urge federal and state lawmakers to reject the DeVos efforts to defund and destabilize public education and to instead invest in public education, including early childhood education and higher education” (2018c).

The AFT is highly critical of the increasing presence of a profit-motive in education. They argue that charter school proliferation is sometimes driven by corporate or political interests, rather than children’s educational needs, as the outsourcing of charter school management to education management organizations (EMOs) transfers public education money to private corporations who have limited accountability to the public (2017). The Federation is not principally against charter schools but believes they must adhere to a number of criteria, including that they should be tuition-free, not-for-profit, and open to all students on an equal basis. Furthermore, they should not selectively admit top students, and should serve

special needs students and English language learners (American Federation of Teachers, Alliance of Charter Teachers and Staff (AFTACTS), 2018). The AFT resolved to develop an evaluation metric for charter school authorizers, charter school operators, CMOs and state legislation, on the basis of members' experiences, national best practices, and AFT principles outlined in its Resolution on the matter. This metric would recognize the need to "balance every school's impact on its neighborhood, school district and the wider community" (2017) in creating and closing charter schools and enable the evaluation of state laws on charter schools. At the same time, the Federation resolved to continue opposing and reforming "charter school legislation that promotes profiteering, that promotes unsound educational practices, or that is detrimental to communities and students" (2017).

One of the sources on which AFT bases its argument is research by Moody's Investors Service, which argued that the rise in charter school enrollments creates financial pressures on school districts in poor urban areas, where charter schools tend to be started. They find that "charter schools can pull students and revenues away from districts faster than the districts can reduce their costs (...) As some of these districts trim costs to balance out declining revenues, cuts in programs and services will further drive students to seek alternative institutions including charter schools" (2013). One of the four risk factors Moody's identifies as making a school district vulnerable to charter school growth is "being in a state with a statutory framework promoting a high degree of educational choice and [which] has a relatively liberal approval process for new charters and few limits on their growth, as well as generous funding" (2013). An example is Michigan, where the statutory framework emphasizes school choice. It has various charter authorizers to help promote charter school growth. In this state, public

schools in for example Detroit, Clinton, Mount Clemens and Ypsilanti have all suffered substantial fiscal strain related to charter enrollment growth (Moody's, 2013).

The difference in approach between the school choice advocates of section 2.1, who predominantly advance their agenda through legislative reform and influencing state legislators and federal politicians, and the AFT is stark. The AFT promotes grassroots resistance against the defunding of public education by promoting activism and democratic participation, rather than the undemocratic influence of the policy elites which lead the school choice advocacy groups. For example, the AFT resolved

“to *channel the activism* we are witnessing across the country in this moment into a movement for enduring change by *electing pro-public education, pro-worker candidates* in November; and (...) to *educate our members* and the *communities* we serve on these issues in order to *elect officials* who will address the lack of investment in public education and public services; and ensure that public education, public services and healthcare have the resources needed to provide working people access to higher education, a good quality of life and a dignified retirement” (2018e [emphasis added]).

As DeBray-Pelot, Lubienski and Scott (2007) found, most of the school choice movement's victories are based on legislative and judicial action, and its most significant failures have come at the hands of voters. The AFT, by informing voters, contributes to this democratic approach to resistance.

Public school advocates: National Education Association

The NEA opposes school vouchers “because they divert essential resources from public schools to private and religious schools, while offering no real “choice” for the overwhelming majority of students” (2018, personal communication). The website of the National Education Association (NEA) has been out of service for the entire duration of this research project. Therefore, I had to contact them through Facebook to ask their position on

school choice. They only emailed me their position on school vouchers and did not provide evidence or references for their position. Since their website is out of service, it is not possible to investigate how much evidence it normally provides. However, several statements made in their email are supported by the research provided in sections 3, 4 and 5. As their email is the only available information at this moment, which is not publicly accessible, I include it here entirely:

- “Vouchers provide less accountability for public resources than public schools. Voucher proposals do not require private schools to adopt the academic standards, ensure the highly qualified teachers, or administer the assessments required of public schools.
- Vouchers threaten civil rights protections. Private, religious and home schools are not all fully covered by civil rights laws. Private schools accepting voucher students can discriminate in admissions and in employment on the basis of religion and can use public funds for sectarian purposes.
- Vouchers offer false parental "choice." Vouchers provide no choice for the 90 percent of parents whose children attend public schools — and particularly not for the parents of children with special needs, low test scores or behavioral problems.
- There is no evidence that vouchers improve student learning. Every serious study of voucher plans has concluded that vouchers do not improve student achievement.
- The American people consistently reject vouchers at the polls. Every time a voucher proposal has been put to the voters, it has been voted down by a wide margin.
- Public schools are improving without vouchers. Competent, caring teachers, backed by supportive parents and administrators, are producing exciting gains in student achievement in public schools across America, through a variety of successful and innovative programs.
- Rather than experimenting with programs already found to make no real difference in student achievement, Congress should focus on ensuring that all students across the country have the tools for success – including smaller class sizes, more parental involvement, up-to-date materials and high quality teachers” (2018).

The NEA argues that there are several cases to make against vouchers, including an educational, social, legal and political case. The educational case is that:

- “Student achievement ought to be the driving force behind any education reform initiative. See what research says about the relationship between vouchers and student achievement.
- Americans want consistent standards for students. Where vouchers are in place -- Milwaukee, Cleveland, and Florida -- a two-tiered system has been set up that holds students in public and private schools to different standards.

- NEA and its affiliates support direct efforts to improve public schools. There is no need to set up new threats to schools for not performing. What is needed is help for the students, teachers, and schools who are struggling” (2018).

The social case against vouchers maintains that

- “A voucher lottery is a terrible way to determine access to an education. True equity means the ability for every child to attend a good school in the neighborhood.
- Vouchers were not designed to help low-income children. Milton Friedman, the "grandfather" of vouchers, dismissed the notion that vouchers could help low-income families, saying "it is essential that no conditions be attached to the acceptance of vouchers that interfere with the freedom of private enterprises to experiment."
- A pure voucher system would only encourage economic, racial, ethnic, and religious stratification in our society. America’s success has been built on our ability to unify our diverse populations” (2018).

The legal case against vouchers holds that approximately 85 percent of private schools are religious, and that vouchers are thus “a means of circumventing the Constitutional prohibitions against subsidizing religious practice and instruction” (2018).

In terms of politics, the NEA argues that every year, approximately \$65 million dollars is spent by foundations and individuals to promote vouchers. In election years, voucher advocates spend even more on ballot measures and in support of pro-voucher candidates. The NEA quotes political strategist and school choice advocate Grover Norquist, who argued that “We win just by debating school choice, because the alternative is to discuss the need to spend more money”. The NEA concludes that

“despite desperate efforts to make the voucher debate about ‘school choice’ and improving opportunities for low-income students, vouchers remain an elitist strategy. From Milton Friedman's first proposals, through the tuition tax credit proposals of Ronald Reagan, through the voucher proposals on ballots in California, Colorado, and elsewhere, privatization strategies are about subsidizing tuition for students in private schools, not expanding opportunities for low-income children” (2018).

The NEA thus makes a similar case against school choice in general and vouchers in particular as the AFT, focusing on social justice, democracy, and equity.

Traditional civil rights: National Association for the Advancement of Colored People

The National Association for the Advancement of Colored People (NAACP) was founded in 1909 and is the largest and oldest nonpartisan civil rights organization (NAACP, 2016). Its mission is “to ensure the political, educational, social, and economic equality of rights of all persons and to eliminate race-based discrimination” (2018a). The NAACP works to fight race-based discrimination in numerous sectors, including in education. The association advocates for “free, high-quality, fully and equitably-funded public education for all children” (2016) and aims to make sure that

“all disadvantaged students and students of color are on the path to college or a successful career by ensuring access to great teaching, equitable resources, and a challenging curriculum. We are dedicated to eliminating the severe racial inequities that continue to plague our education system. Our ultimate goal is that every student of color receives a quality public education that prepares him or her to be a contributing member of a democracy” (2018b).

The resistance by the NAACP to school choice programs is grounded in more than two decades of opposition. Already in 1998, it adopted a resolution which opposed the establishment and granting of charter schools which received funds that previously went to already financially pressured public schools, while not being subject to the same accountability and teacher qualification/certification standards (2016). In 2014, they defined school privatization and public subsidizing or funding of for-profit or charter schools a threat to public education. In 2016, they called for a moratorium on charter school expansion and for increased oversight in their governance and practice. This moratorium should last, they argued, at least until:

“(1) Charter schools are subject to the same transparency and accountability standards as public schools; (2) Public funds are not diverted to charter schools at the expense of the public school system; (3) Charter schools cease expelling students that public schools have a duty to educate and (4) Charter schools cease to perpetuate de facto

segregation of the highest performing children from those whose aspirations may be high but whose talents are not yet as obvious” (2016).

At the same time as it expresses criticism of charter schools, the NAACP also recognizes that many traditional public schools are not adequately equipped to prepare their students for their futures. These schools, the NAACP (2016) argues, are underfunded and undersupported, and defunding them therefore does not solve their problems. Furthermore, in 36 states, public school funding was lower in 2017 than before the great recession in 2008, and in many states, inner city schools (where most students of colour attend) experienced the deepest cuts (NAACP, 2017). The NAACP Legal Defense and Educational Fund president, Sherrilyn Ifill, maintained that whereas many public schools face such problems,

“school choice really only works for those parents who have other choices – to be able to select a school across town that you think is better means that you have to have the ability to get your child to that school and the ability to pick your child up from that school (...) You have to have the kinds of networks that will support the child in that school. Your child most often will need to be in a situation where they don’t have special needs, where they don’t need English as a second language, where they don’t have other disabilities that require support within that school” (Ballasy, 2017).

Of all the organizations discussed in this paper, the NAACP provides reports with the highest number of academic sources of evidence. For example, its report “Quality schools for all... one school at a time”, written by the NAACP Task Force on Quality Education (2017), investigates charter schools and is based on over 50 quality sources, including 10 journal articles, 8 books published by universities and 5 books published by non-university presses, 7 government statistics, 4 reports published by university departments, 7 references to the NAPCS, 4 to civil rights organizations, and 2 to the AFT. It is strongly grounded in solid research and a variety of sources, considering arguments both pro- and against school choice,

and it is this report that is the foundation for its position on charter schools. Based on this supporting research, the authors recommend the following:

- More equitable and adequate funding for all schools serving students of color;
- School finance reform;
- Investments in low-performing schools and schools with significant opportunity to close the achievement gap, such as: (1) incentives that attract and retain fully qualified educators, (2) improvements in instructional quality that include creating challenging and inclusive learning environments; and (3) wraparound services for young people, including early childhood education, health and mental health services, extended learning time, and social supports;
- Mandating a rigorous authoring and renewal process for charters;
- The elimination of for-profit charter schools due to widespread findings of misconduct and poor student performance in for-profit charter schools, and due to the conflicts of interest that arise when for-profit entities operate schools (2017).

These recommendations suggest that the NAACP has the interests of children and their education as its first priority, in contrast to ideological concerns over expanding a market logic into education among school choice advocates discussed in section 2.1. Despite having the strongest evidentiary basis for their position on school choice of all organizations discussed in section 2, it is not the position which is implemented in state and federal law. The next section applies conflict theory to help understand why this might be the case.

3. Conflict theory of education in relation to the school choice movement

Despite the critique and arguments of the opponents of school choice, its advocates have seen large legislative successes despite the lack of democratic support by citizens and educators, as section 2.1 and 2.2 have demonstrated. To understand this trend, it is fundamental to understand the role and influence of neoliberalism and the capitalist class (the owners of the means of production (Marx, 1978a)) in the advocacy for school choice, and the political and economic power of those who advocate for free markets, deregulation, privatization, and the extension of the capitalist for-profit logic to the educational sphere. To do so, this section uses conflict theory of education to sociologically analyse the school choice movement and praxis.

Conflict theory of education considers schools to be serving capitalist interests (interests which benefit both the system of capitalism and individual capitalists), rather than the needs of the whole society. It argues that in schools existing inequalities are reinforced, students are inculcated with attitudes which foster the acceptance of the capitalist status quo, and are socialized to function well and without complaint in the hierarchical structure of the modern corporation (Hurn, 1993; Bowles & Gintis, 1976 & 2001). In this section, I will discuss how the three main assumptions made by conflict theorists about education (Hurn, 1993), as laid out in the introduction, apply to the school choice debate. I will then expand this theory by adding a fourth assumption which I argue is an indispensable factor in the school debate: the competition over economic resources between the bourgeoisie and the workers as the fundamental *raison d'être* of the school choice debate. Each assumption is illustrated by theoretical and empirical arguments from the social sciences and education literature and by examples from section 2, in order to establish the continuing relevance of conflict theory of education. This section will also discuss the influence of neoliberalism on the pedagogical and

philosophical foundations of the entire education sector, in order to understand *why* neoliberal forces aim to transform education, and *how* it benefits them now and in the future.

Marxist theoretical foundations of the conflict theory of education

The conflict theory of education is based on the works of Karl Marx and Friedrich Engels. Marx (1978b) argued in *A Contribution to the Critique of Political Economy* that the economic base of production relations (e.g. slavery, feudalism, capitalism, socialism) conditions the social, political, cultural, judicial, religious and educational world, which has also been termed the superstructure. Engels refined this idea in *Letters on Historical Materialism* (1978). As Marx (1978a) discussed in *Wage Labour and Capital*, when the economic base of production relations is capitalism, then the means of production are privately owned by capitalists, to whom workers must sell their labour power to earn a wage. The driving motive of the capitalist is profit, and a capitalist can only make a profit if he pays his workers less than the economic value of the good or service that is produced by them. According to Marx, this means the workers are exploited, because they do not receive the full value of the labour they perform when the capitalist takes the surplus value of their labour power to create profit.

The institutions of the superstructure are those that are not immediately involved in the process of production, but which exist to ensure that the society runs smoothly. Those include the education system, courts, religious institutions, cultural institutions, and political institutions. Because the economic base is the motor that drives societies, the people who control it have the most power to organize the institutions of the superstructure. And they do so, because the institutions of the superstructure need to reinforce the economic mode of production if they want to maintain their position of power, as Marx established in *The German Ideology* (Marx, 1978c). This is the case for all modes of production. For example, under

slavery, there were also laws, cultural practices and religious ideologies which reinforced the ideologies and practices underlying the economic system of slavery (Barton, 2011; Beckles, 2013). The educational pillar of the superstructure must therefore be organized by the economic base in a way which reinforces and sustains the economic base of capitalist production relations, and which prepares the children of the working class for a working life under capitalist relations of production. Marx argued in *Capital, Volume One* that

“The owner of labour-power is mortal. If then his appearance in the market is to be continuous, and the continuous conversion of money into capital assumes this, the seller of labour-power must perpetuate himself, by procreation. The labour-power withdrawn from the market by wear and tear and death, must be continually replaced by, at the very least, an equal amount of fresh labour-power. Hence the sum of the means of subsistence necessary for the production of labour-power must include the means necessary for the labourer’s substitutes, i.e., his children, in order that this race of peculiar commodity-owners may perpetuate its appearance in the market. In order to modify the human organisms, so that it may acquire skill and handiness in a given branch of industry, and become labour-power of a special kind, a special education or training is requisite, and this, on its part, costs an equivalent in commodities of a greater or less amount. This amount varies according to the more or less complicated character of the labour-power. The expenses of this education (excessively small in the case of ordinary labour-power), enter pro tanto into the total value spent in its production” (1978d: 340).

It follows, then, that in a capitalist economy, students must be schooled in a fashion that will maintain the capitalist status quo, by preparing them to work under capitalist relations of productions as obedient workers who are able to fulfill the tasks demanded by the capitalist class (Knopp, 2012; Bowles & Gintis, 1976 & 2001; Chomsky, 2012a & 2012b). However, it is also necessary to inculcate in them the necessary values and ideals of capitalism, in order to reduce the risk that the workers realize they are being objectively exploited and start to demand the ownership of the means of production, which would lead to a proletarian revolution as Marx discussed in *The German Ideology* (1978c) and *Socialism: Utopian and Scientific* (1978e) Workers must thus be prevented from realizing their exploitation under capitalism, or

they will overthrow “the existing state of things” (Marx, 1978c: 168). The foregoing Marxist understanding of the organization of capitalist society forms the basis for the conflict theory of education.

The three main assumptions made by conflict theorists about education are summarized by Hurn (1993) as follows: First, society is divided and conflict-ridden, and groups compete for the control of the educational system to influence *whose* values and ideals will be taught, and *whose* children will land the desired jobs. Second, this competition between groups is unequal, because existing elites have more resources to influence decision-making and public opinion than their opponents. Third, while the *manifest* concern of schools is focused on teaching cognitive skills, “their fundamental business is to shore up the present social order by teaching appropriate attitudes and values” (Hurn, 1993: 58). Each of these assumptions will be applied to the school choice debate, after which I add a fourth assumption.

Assumption 1: Society is divided and conflict-ridden, and groups compete for the control of the educational system to influence whose values and ideals will be taught, and whose children will land the desired jobs.

As discussed in section 2.1, the school choice movement finds its primary supporters among organizations which have a wide range of ideological backgrounds and labels, but whose principal interests in free enterprise and profit-making unites them in their advocacy for privatization and commodification of education. In essence, those who call themselves conservative, neoconservative, libertarian, New Democratic or states’ rights advocates all advance the same ideology, which is the neoliberal ideology championed by Ronald Reagan, and which brought the school choice argument of Milton Friedman to the dominant position in which it can be found today. They also belong to the same umbrella organizations of think-

tanks, corporate lobbyists, and legislators, such as ALEC and the State Policy Network (SPN) – which the next section will discuss in more detail. As such, they represent the capitalist class (the bourgeoisie), which has a profit motive, and they are therefore engaged in a class struggle with the working class, whether they portray themselves to be so or not.

The movement towards a neoliberalization of the education system, including privatization and the involvement of for-profit corporations in the education sector, is thus not happening because the majority of the American population decided it should be this way. Rather, think-tanks and lobby groups of the wealthiest American individuals and businesses have advocated for legislation to create this situation (Parramore 2018a), pressuring representatives of both the Democratic and Republican Party to implement policies that will benefit their corporate interests. For example, a five-year study by Lafer (2017) found that of all areas these lobby groups attempted to influence, public education was the area which saw the most laws passed. Undermining the public school system was the central goal of their efforts (Lafer 2017; Parramore 2018a). When Parramore (2018b) interviewed renowned scholar Noam Chomsky about this issue, she asked what students are being trained for in the corporate vision of education that is taking over the country. Chomsky responded:

“Students will be controlled and disciplined. The education doesn’t leave any room for interaction, for creative activity, for teachers to do things on their own, for students to find a way to do things, I’ve talked to teacher’s groups. I remember once I was giving a talk and a 6th grade teacher came up to me describing experiences. She said that after one class a little girl came up and said that she was really interested in something that came up and wanted to know how she could do some more on it. And they teacher had to tell her, you can’t do it. You have to study for the MCAS, the Massachusetts version of the regular exam [Massachusetts Comprehensive Assessment System]. Everything depends on that. Even the teacher’s salary depends on that. So you can’t do anything creative as an individual. You follow the rules. It’s the Marine Corps. You do what you’re told. No associations. It’s a perfect system for creating a deeply authoritarian society. *It’s also kind of a two-tiered system.* It’s a little bit like what Sam Bowles and Herbert Gintis [co-authors of *Schooling in Capitalist America*] discussed when they

wrote about early mass education. *For the general worker, turn them into industrial workers, but for the elite, you have to have creativity: MIT, Harvard. You have to have people to create the next stage of the economy*” (Parramore, 2018b [emphasis added]).

Chomsky’s argument about a two-tiered system, which educates children of workers and elites differently, supports Minow’s view that school choice programs favour affluent and well-informed families (1999), while reducing opportunities for poor and less informed families, particularly those living in low-income urban district and those who are of colour (Martin, 2004; Ballasy, 2017). Therefore Parramore (2018a) argues that the US neoliberal education system, which promotes an uncritical, unquestioning attitude in its pupils who come from the working class, has the deliberate aim to prepare these children of marginalized backgrounds for a lifetime of servitude under capitalism, and to lower the risk of mass movements and mass protests aimed at changing the current hegemonic system which oppresses them and their communities while extracting surplus value (profit) from their labour. At the same time, the children of the elite continue to have access to private schools and elite universities with a rich curriculum, where they are prepared for leadership rather than servitude. This has always been the case¹⁵, but school choice initiatives expand their options of doing so with public money: they enable the *selection* of children which will be admitted to private schools, simply by deregulating these schools, and influence the *content* that can be selected to be taught in different schools, thereby influencing *whose* children will land the desired jobs in the future. For example, the Cato Institute (2018) and ALEC (2018d) argued that private schools should

¹⁵ In ‘Social Class and the Hidden Curriculum of Work’, Anyon (1980) demonstrated how styles of teaching and learning differed between schools that taught children of either the working class, middle class, “affluent professionals”, and “executive elites”. They respectively emphasized obedience (working class); getting the right answer, following directions, and doing well in school (middle class); student-driven, independent and creative work (affluent professionals); and rigorous and inquiry-based curriculum, where children were being prepared to be powerful, excellent leaders (executive elites) (Knopp, 2012).

have autonomy and independence and be free from state regulations, including the content of the educational program and their admissions policies. This means they would not only have autonomy over which children they admit into which schools, but also what type of education they give the children in different private schools. The private schools which accept and educate the children of the elite could then choose to provide a rich curriculum which promotes creative thinking and problem-solving (as already happens), whereas the private schools which educate the children of the working class through vouchers, tax credit scholarships and ESAs can choose to provide them with a limited curriculum which instils in them the values of obedience and hard work which the capitalist class wants them to have in their future working life (Chomsky, 2012a; Knopp, 2012; Russom, 2012; Parramore 2018b). In this way, the entities which are behind the advocacy for school choice – and who depend on the current economic system for maintaining and increasing their wealth (Chomsky, 2012a) – can increase the skill levels of a small part of the population using tax dollars “while investing as little as possible in the education of everyone else” (Russom, 2012). This upholds what McLaren argues when he states that “all that is to have worth in neoliberal democracies must be directly linked to the functional needs of capitalism, so that capitalism and the capitalist class can reproduce itself along with capitalist society, and the capitalist worldview that legitimates the entire process” (2012: 27).

Lastly, when it comes to *whose* values will be taught, it is relevant to note that school choice initiatives such as the tax credit program enable the public financing of religious private education. According to the NEA, approximately 85 percent of private schools are religious. They argue therefore that “vouchers tend to be a means of circumventing the Constitutional prohibitions against subsidizing religious practice and instruction” (personal communication,

2018). School choice advocates such as the Heritage Foundation and the DeVos family promote such religious (specifically Christian) schools, and this is an explicit effort to influence whose values will be taught to pupils.

In opposition to this organization of the educational sector by neoliberal forces, the NAACP, the AFT, and other opponents of school choice argue that *all* children deserve the right to “free, high-quality, fully and equitably-funded public education” (NAACP, 2016), not only the children of the ruling class, and that the severe racial and other inequities existing in the education system need to be eliminated. The NAACP wants every student to be able to receive a broad and rich education, in order to become a contributing member to a democracy. However, due to the unequal competition between these sides of the debate, they have much less power to influence policies and praxis, which the next section discusses.

Assumption 2: The competition between groups is unequal, because existing elites have more resources to influence decision-making and public opinion than their opponents.

Whereas Marx emphasized that the economic base of a society was the most important determinant of how the superstructure of the society would be organized, he and Engels also recognized the dialectics between the base and superstructure. As Engels argued,

“the economic situation is the basis, but the various elements of the superstructure – *political forms of the class struggle and its results*, to wit: constitutions established by victorious classes after a successful battle, etc., juridical forms and even the reflexes of these actual struggles in the brains of the participants, political, juristic, philosophical theories, religious views and their further development into systems of dogmas – also exercise their influence upon the course of the historical struggles and in many cases preponderate in determining their form” (Engels, 1978: 760 [emphasis added]).

One can recognize the ‘political forms of the class struggle and its results’ in the school choice struggle over state and federal legislation between representatives of the bourgeoisie on the

one hand, and the unions and other organizations of the working class, including teachers, on the other hand. For example, school choice initiatives often dismantle the power of teacher unions (Russom, 2012; AFT, 2018d). While there were more unionized charter schools in 2016-17 compared with 2009-10 (781 versus 604), their percentage of the total number of charter schools was lower in 2016-17 compared with 2009-10 (11.3 percent versus 12.3 percent). Only seven charter schools that opened in 2016-17, approximately 2% of the total amount of charters that opened that year, were affiliated with a teachers' union, and three of them were required to do so by state law (National Alliance for Public Charter Schools, 2018a).

As mentioned in the section on the American Federation of Teachers, DeBray-Pelot, Lubienski and Scott (2007) have established that school choice advocacy is led predominantly by policy elites, not by grassroots organizing. Regardless of the labels these policy elites use (libertarian, conservative, neoliberal, states' rights, center-left/New Democratic) all aim to achieve the same when it comes to education reform: the creation of a competitive education market in which the government and unions plays a limited role, where (for-profit) charter management organizations, private schools, and corporations can benefit from millions of public dollars being diverted from public into private hands, and where rather than trying to improve traditional public schools that already struggle, laws are created to channel even more money out of them into the for-profit section of the education sector. Because they represent the economic elite, the advocates of school choice have more resources to influence decision-making and public opinion than their opponents, including the large number of think-tanks presented in Table 1, which are founded with the primary goal of influencing public opinion. This makes the competition between the groups unequal, supporting the assertion that Assumption 2 is applicable to the school choice debate.

The few think-tanks mentioned so far in this paper are far from the only ones which influence public policy to steer it in a neoliberal direction. There are at least 59 of them, united in the neoliberal umbrella organization State Policy Network (SPN). Amongst its members, one can find numerous organizations which deal with school choice (State Policy Network, 2018). These include EdChoice (the Friedman Foundation for Educational choice, discussed in footnote 8 of this paper), the Cato Institute, the American Enterprise Institute (discussed below), Compact for America Educational Foundation, Foundation for Excellence in Education (also called *ExcelinEd*), Foundation for Economic Education, the Heritage Foundation, ALEC (which itself is already a policy elite group which unites legislators and corporations), Mackinac Center for Public Policy (discussed in the section on ALEC), and the Pacific Research Institute, which has published a long list of op-eds attacking teachers and teachers' unions on its website. The competition between advocates and opponents of school choice is thus clearly unequal, as the opponents do not have such a well-sustained, well-networked, and deeply politically entrenched backing of their position. To the contrary: they are in a continuous position of defense, especially since the passing of the neoliberal education acts of No Child Left Behind (NCLB) under Bush and Race To The Top (RTTT) under Obama (Russom, 2012).

This is also clear in their language: whereas some school choice advocates barely note the presence of the debate, and sometimes write as if their side of the argument is the only side that exists, the opponents such as the AFT and other unions make it very explicit that they are engaged in a struggle over ideas and practices with the people and organizations in power. For example, the AFT speaks of the DeVos agenda as “the result of an intentional, decades-long campaign to protect the economic and political power of the few against the rights of the many”

(2018c), and resolves it “will work to defeat the DeVos agenda because of the danger her policies and agenda pose to public education and our students” (2018c). The AFT makes use of grassroots resistance against the defunding of public education by promoting activism and democratic participation, rather than the undemocratic influence of the policy elites which lead the school choice advocacy groups, likely due in part to a deficit of financial resources in comparison to the school choice movement. For example, the AFT resolved to educate its members and the communities they serve in order to get pro-public education and pro-worker candidates elected in November 2020 (2018e).

As section 2.1 demonstrated, the pro-school choice policy elites work together in a concerted effort, such as in the case of ALEC, and refer to each other’s work as evidence for their argument. From the perspective of conflict theory, their attack on public education reflects the attempt to privatize and commodify a public good such as education, in order to make a profit and to benefit the corporate agendas of their donors. These well-funded think-tanks, foundations and institutes have the financial and political means to advance their agendas, and at its core, this is a neoliberal agenda. It seems, however, that they are aware that they do not have the automatic support of most citizens. An article by the American Enterprise Institute (AEI) (Hess and Gallo, 2018) and a bulletin by Republican pollster Luntz show that the policy elites who advocate for school choice are aware of the resistance they face from citizens, and that rather than taking a different educational policy approach that has the broad support of citizens, they advise a different communication style to achieve their goals. In 1997, Republican pollster Frank Luntz advised Republican Party members “not on the research of choice outcomes themselves but instead on research regarding how the language of school choice plays with the broader public” (DeBray-Pelot, Lubienski and Scott, 2007: 211). His

222-page bulletin, written for Republican politicians in 1997 is not available online, but an online article shared excerpts of it. For example, Luntz advises them never to say “I support vouchers for school choice”, because the American people do not like vouchers, but instead say that they support “opportunity scholarships”. Similarly, he instructs them not to speak of “school choice” but “parental choice”. He argues: “Your task is to talk about education in a way that makes your audience feel comfortable.” (Ferguson, 1997). This strategy has been applied successfully, for example in the case of the “District of Columbia Opportunity Scholarship Program” (OSP) or the “Milwaukee Parental Choice Program” (MPCP), and in the advocacy for school choice described in section 2.1, where all organizations, institutes and foundations speak of increasing ‘opportunities’ for parents and children.

The American Enterprise Institute also advises to present school choice as an opportunity, rather than an education transformation agenda:

“Much of the bold rhetoric employed on behalf of contemporary school choice may do more to alienate than to attract supporters. Talk of failing schools, Uber-style disruption, and market competition is off-putting to parents and voters who support choice in principle but also like their local schools, are skeptical of educational disruption, and don’t want to see children shuttled about like freight. And we’ve seen plenty of first-hand evidence that the more aggressive talking points can drown out *arguments better calibrated to connect with those parents and voters who have a soft spot for both school choice and their local schools.*

*School choice may fare best when presented as an opportunity for those who want it rather than an agenda to radically transform schools. And **the dirty little secret** is that such rhetoric doesn’t actually involve giving up much, because successful choice proposals show a practical bent and aren’t designed to spur the transformation or Uberization of schooling. A more grounded message may not feel quite as stirring for passionate pundits, urgent advocates, and enthusiastic funders, but may ultimately be a more promising path forward” (Hess and Gallo, 2018 [emphasis added]).*

These employees thus admit plainly that the American Enterprise Institute is acutely aware of the resistance of parents against school choice, including ‘shuttling children about like freight’,

but that the recommended solution is the right language, not an actual change in the execution of school choice policies. Hess and Gallo also admit that such language ‘doesn’t actually involve giving up much’, which they call a ‘dirty little secret’.

Consequentially, the competition between the two sides in the school choice debate is also unequal because they do not fight on equal terms. The argument of the school choice advocates relies predominantly on *ideology*, less on evidence, and their power of influence relies on using the right *communication strategy*. As section 2.1 has demonstrated, numerous studies or commentaries on their websites lack a single citation of a peer-reviewed journal article or book, or otherwise evidence-based source. Instead, most of their research/evidence refers to reports of other like-minded organizations. They also target the same type of audience: For example, the articles written by employees of the Heritage Foundation refer on a consistent basis to a study done by the Friedman Foundation for Educational Choice (Forster, 2013), which refers to an EducationNext article on the Florida Tax Credit Scholarship program (Figlio and Hart, 2011), which contains a full-page advertisement for a book on education published by the Cato Institute on private schools for the poor in developing countries (‘The Beautiful Tree’ by James Tooley). On the other hand, the argument of school choice opponents primarily relies on factual *evidence*, as the NAACP did in its report on charter schools. The advocates, however, have the means to get their arguments across in the public arena, and engineer public opinion via the mass media and other channels to convince citizens and politicians of their argument despite having less evidence. This aligns with Herman and Chomsky (1994), who discussed in great detail how the ruling class (whose representatives are also the advocates for school choice) uses the mass media to engineer public consent for its policies. Chomsky (2002) also showed how the elite’s control of the media and the subsequent propaganda or

disinformation they broadcast leads to a controlling of the public mind, rather than an informing of it.

Furthermore, in instances where ideology cannot convince schools and teachers, advocates of school choice can use their greater financial resources. For example, Obama’s ‘Race to the Top’ school choice initiative “takes a relatively small amount of money, dangles it in front of resource-starved states, and says, “You might get it if you allow more privatization and link teacher evaluations and pay to test scores” (Sanchez and Bigelow 2012: x).

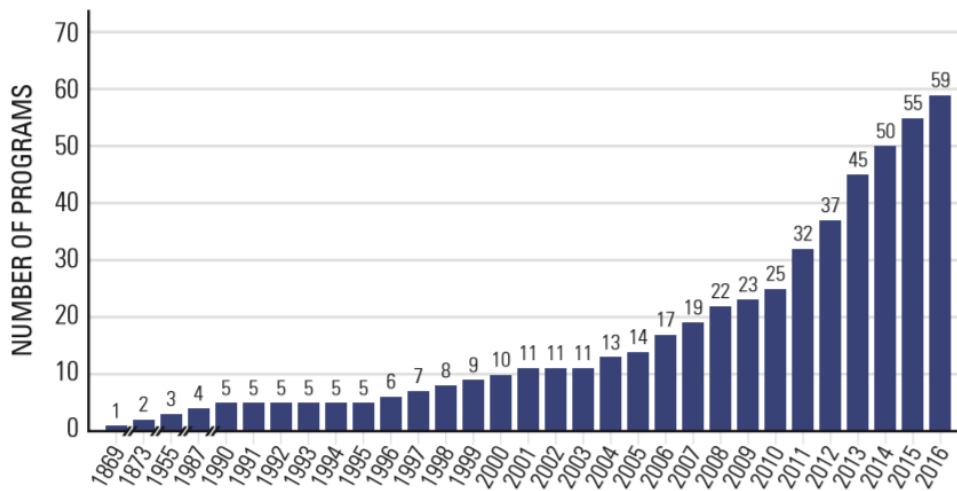


Figure 2: Number of Currently Enacted Private School Choice Programs by Year Launched. Source: EdChoice, 2016: 5.

In sum, evidence regarding the U.S. school choice movement lends support to Assumption 2, as the competition between advocates and opponents is highly unequal, and the existing elites have more resources (financial, ideological, control over the media) to influence decision-making and public opinion than their opponents. As a result of this unequal power balance, every year the federal and state laws in the United States align more closely with the model acts of the NAPCS (2018d), ALEC, and others. Additionally, every year, more private school

choice programs are launched (Figure 2), and more students receive a voucher, tax credit scholarship, or ESA (Figure 3). This speaks to the successful lobbying of pro-school choice advocates, and leads to the observation that the opponents to school choice are on the losing side. As a result, the ruling class has a strong basis for maintaining the status quo through teaching the appropriate attitudes and values, as the next section shows.

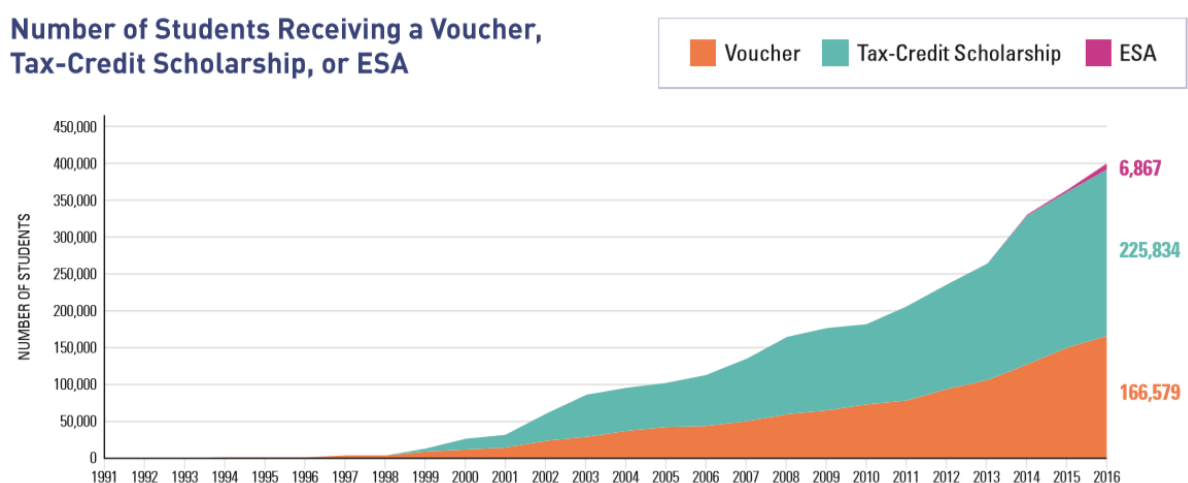


Figure 3: Number of Students Receiving a Voucher, Tax-Credit Scholarship, or ESA. Source: EdChoice, 2016: 5.

Assumption 3: While the *manifest* concern of schools is focused on teaching cognitive skills, their fundamental business is to maintain the status quo by teaching appropriate attitudes and values

Schools are designed to serve capitalism and its needs in different ways, in order to maintain the status quo which benefits the elite (Knopp and Bale, 2012). In this effort, it is fundamental that schools teach and reproduce the appropriate attitudes and values which are based on a capitalist philosophy. First of all, most of the regular curriculum used so far predominantly teaches kids to ignore capitalism, to not-think about it (Sanchez and Bigelow, 2012). For example, there are official American school books which do not teach students the scientific facts about human-induced climate change, but instead write as if there is still doubt about

whether human activity influences the climate, because “the corporate giants who produce these texts are not going to include information and analysis critical of the economic system that has been so good to them” (Sanchez and Bigelow 2012: xiv).

Furthermore, the division of labour, which is an inherent part of capitalism, is reflected in schools. Knowledge is broken into small portions, into discrete “subjects” and units, and students here “begin to learn how not to see the whole picture of the way the world works – the interplay among politics, economics, science, technology, language, and so on” (Knopp 2012: 15). Additionally, the hierarchical relations of work and production are mirrored in schools between administrators and teachers, and teachers and students. They prepare students to play the roles of bosses or workers in the future workplace. This serves to reproduce the existing capitalist social relations of production (Bowles and Gintis 1976).

The hierarchies in schools reflect another aspect of capitalism. While many workers only work to get paid, many students only work to get a good grade. Students, just like many workers, have no control over the product they make and become alienated from their work. Many students do not work to gain knowledge for its inherent value, but to gain a diploma (Knopp 2012), which they hope will land them access to a job with a good salary. This reflects what Côté and Allahar (2007) have argued in the case of Canadian universities as well, where the neoliberal approach to education is increasingly focused on ‘earning’, not ‘learning’. A university is gradually becoming a place for job training, where students do not come for the intellectual experience but the expectation of being rewarded with a desirable job after completion of their degree.

Furthermore, neoliberalism does not only affect what is taught, but also how it is taught – the pedagogical approach that is chosen. Many public schools in the United States do not

critically engage their students. Instead, they are being lectured at, using the ‘banking style’ which world-renowned educator and advocate of the ‘pedagogy of liberation’ and ‘pedagogy of freedom’ Paulo Freire (1970, 1974, 1998) heavily criticized, in which students are seen as passive recipients of the knowledge of the teacher, which the teacher has to ‘deposit’ in their heads as if they are bank accounts. They are oftentimes given worksheets or are seated in front of a computer to prepare for tests (Sanchez and Bigelow 2012). This does not promote critical thinking nor collaboration.

Scholars maintain that schools do not create critical citizens who actively participate in the shaping and strengthening of their democratic potential and that of their country. Instead, under a neoliberal conception of education, students are crafted into “good consumer citizen[s] by maximizing [their] market potential and creating and recreating [themselves] as the most competitive version possible of human capital” (McLaren 2012: 26). Education is then, to a lesser and lesser extent, not perceived as a right but as a privilege, and the privatization of schools and school choice programs which put public money in private hands are a sign of the normalization of this neoliberal discourse.

Despite the critical problems facing the education sector in the United States, schooling continues to be portrayed as *the* way out of social and economic problems such as inequality and poverty. Numerous studies however have proven that education alone, as it currently is organized and practiced, cannot solve these problems (these studies are discussed in Knopp, 2012 and Marsh, 2011). Additionally, low-income and minority children are “disproportionately concentrated in low-performing schools; they are more likely to attend schools with fewer resources and inexperienced teachers than other children, and are often forced to contend with learning distractions associated with resource inequities such as

disruptive classrooms and unsafe schools” (Zimmerman and Vaughan, 2013: 164). This makes it even harder to escape poverty through schooling. The idea that it is possible, however, is a powerful ideological tool for the ruling class: if you are poor, the blame is on you for being lazy and not having studied with enough dedication (Knopp 2012). This myth persists despite OECD findings that in the United States, you can predict approximately half of an adult’s income by the income of their parents (Knopp 2012), making it a stronger predictor than the individual’s education level. By maintaining the myth of a meritocracy, the neoliberal system is thus left intact: while schools focus on teaching cognitive skills and knowledge, they maintain the status quo by promoting the idea that educational success is the way out of poverty.

Whereas most of conflict theory of education has focused on the indirect inculcation of capitalist values and attitudes in students through schooling and the ways schools are organized, The Heritage Foundation goes beyond this subtle approach. It established a model act which states are encouraged to implement, in which children are mandated to pass a course on capitalism, called ‘the Free Enterprise Education Act’. This Act “mandates instruction in the free enterprise system, a course that requires an interdisciplinary study of economics, political science, history, geography, culture, and current events [and] requires a stand-alone course in the free enterprise system that lasts at least one semester and a passing grade in order to receive a certificate or diploma of graduation” (2011). The proposed course is strongly biased in favour of capitalism, stating that:

“Students should have a thorough understanding of the crucial role the American free enterprise system has played, and can continue to play, in achieving economic growth and prosperity and political stability in the United States. (...) The study of the free enterprise system is critical to the development of students as productive citizens who understand the American economic and political system and the critical and *central*

role of American business and entrepreneurs in the creation of wealth, jobs, and economic growth and prosperity” (2011 [emphasis added]).

This act speaks to all three assumptions of conflict theory of education: First of all, it shows *whose* values are to be taught (the neoliberal elite’s values, which relates to Assumption 1). Secondly, it implicitly argues that students need to be taught these values in order to maintain the status quo (achieving political stability, understanding the importance of American businesses and entrepreneurs for economic prosperity, which relates to Assumption 3). Thirdly, in support of Assumption 2, this foundation is an institute of the elite, with large resources to influence public opinion, leading to the successful implementation of proposed policies into state and federal law (also see earlier discussion of the Heritage Foundation in section 2.1) (The Heritage Foundation, 2018a).

The model act also exemplifies that the capitalist class realizes it must seem like a benevolent class, rather than as an oppressing class: it explicitly wants to inculcate in students a belief in the “central role of American business and entrepreneurs in the creation of wealth, jobs, and economic growth and prosperity” (2011). Their acute awareness of the importance of how they are perceived by the people is in line with Marx’ theory when he argued in *Contribution to the Critique of Hegel’s Philosophy of Right* that

“for a *popular revolution* and the *emancipation of a particular class* of civil society to coincide, for *one* class to represent the whole of society, another class must concentrate in itself all the evils of society, a particular class must embody and represent a general obstacle and limitation. A particular social sphere must be regarded as the *notorious crime* of the whole society, so that emancipation from this sphere appears as a general emancipation. For *one* class to be the liberating class *par excellence*, it is necessary that another class should be openly the oppressing class” (1978f: 63).

It follows that if the oppressing class (the capitalists) wants to avoid a popular revolution and the emancipation of the oppressed class (the proletariat), it must make sure that they cannot

openly be regarded as the oppressing class. The Free Enterprise Education model act wants students to see the capitalists which run the capitalist system in a positive light, as this would make an anti-capitalist revolution less likely.

*Assumption 4: The competition over economic resources between the bourgeoisie and the workers is the fundamental *raison d'être* of the school choice debate*

Whereas the foregoing three assumptions of the conflict theory of education are applicable to the theoretical and practical realities of the school choice debate, the theory and its assumptions were developed at a time where an immediate profit motive in the education sector did not exist as strongly as it does now, as almost all schools were public schools, and private schools were reserved for the children of a small elite. With the expansion of school choice this has changed, and it has now become attractive for corporations to engage in the education sector because of an immediate profit motive – as opposed to simply guaranteeing the existing economic order in which they can make this profit through inculcating capitalist values in students and guaranteeing a workforce capable of performing the labour which their companies need. The opposition to school choice therefore does not only arise from ideological reasons or theories about the inherent value of education as a free public good, but also because school choice options directly take funds away from public schools. This is consistent with Marx' and Engels' theories about a society's base and superstructure, as economic imperatives play a decisive role in shaping American schools: because a large proportion of government funding of education is connected to each individual pupil, it follows that when a pupil leaves a public school to enter a charter or private school using a school choice option such as vouchers or ESAs, the public school is immediately deprived of the funds attached to that pupil. This makes school choice not only a struggle over ideas concerning opportunity, equality, or equity in

education, but also very clearly a competition over economic resources and corporations' opportunities of making large profits at the expense of public education. As discussed in the previous section on the Marxist theoretical foundations of the conflict theory of education, the economic (material) base of production relations is the foundation for the superstructure in which the education system, laws, cultural institutions and political institutions are created. I therefore maintain that conflict theory of education must include a fourth assumption when it is applied to the school choice debate, which is: *The competition over economic resources between the bourgeoisie and the workers is the fundamental raison d'être of the school choice debate.*

For Assumption 4 to be true, the advocates of school choice must be distinguishable as an economic class, specifically the capitalist class, and its opponents must be distinguishable as members of the working class. I argue that they are, as the dominant advocates of school choice represent the corporate sector in the society, which is organized for example in the State Policy Network (SPN) discussed briefly above under Assumption 2. The SPN was founded in 1992 by businessman Thomas Roe, who worked for the neoliberal Reagan administration and The Heritage Foundation. The group has affiliated think-tanks in all states, and its donors include wealthy foundations such as

“the Ruth and Lovett Peters Foundation, which funds the Cato Institute and Heritage; the Castle Rock Foundation, a charity started with money from the conservative Coors Foundation; and the Bradley Foundation, a \$540 million charity devoted to funding conservative causes. SPN uses their contributions to dole out annual grants to member groups, ranging from a few thousand dollars to \$260,000, according to 2009 records” (Kroll, 2011).

Those who champion the cause of school choice on the legislative level (such as the Heritage Foundation, ALEC, the Cato Institute and other SPN members) therefore evidently represent

the bourgeoisie, while those who oppose school choice (such as the AFT and other teachers' unions) predominantly represent those who work in the education sector. It is therefore a class struggle in Marxist terms between the bourgeoisie and the working class, as teachers are labourers who get paid a salary for their work, and do not receive the full monetary value of their labour. This might not be as evident in public schools, where no profit is made, but it becomes obvious in the case of for-profit charter schools and private schools, which make a profit off the surplus value of the services which teachers provide and for which the students' families pay. If a school, regardless of type, did not have any teachers, then education would not take place. Teachers are the workers which provide the service of teaching, for which they are being paid a wage, making them wage workers like any other in. In for-profit charter schools and private schools, it is clear that there is a zero-sum game where a higher salary for the teacher means a lower profit for the owner of the school.

For Assumption 4 to be true, school choice must also create a profit motive, as the capitalist class in Marxist theory is primarily motivated by profit. The profit motive of the school choice advocates has been clearly established in the foregoing sections, as school choice allows the education sector to be transformed into a successful for-profit business in several ways. First, charter schools are allowed to contract an 'education service provider', which can be a for-profit education management organization [EMO], nonprofit charter management organization [CMO], or any other partner entity. Regardless of the type of service provider, the salaries of their executives are often high, and can surpass 1 million dollars (see Appendix 1 and 2). These salaries have no relationship with the number of students in a given school, nor with whether the management company status is for-profit or non-profit (Washington Post, 2014). The creation of charter school management organizations has thus created very

financially rewarding occupations and has led to obvious questionable cases. For example, the Carlos Rosario charter school in D.C. is founded by CEO Sonia Gutierrez. The school pays her US \$328,744 per year. However, she is also the President of Community Capital Corporation, the non-profit management organization which runs and maintains buildings for the Carlos Rosario school. As the President of the management organization which runs the school of which she is also the CEO, she gets paid \$352,404. Her combined income is thus \$681,148 (Washington Post, 2014).

The public education sector thereby becomes a business enterprise where charter school leaders are able to spend high amounts of tax dollars on private for-profit corporations for the management of their schools, where previously these opportunities for profit-making did not exist. Additionally, the rise in charter school enrollments creates financial pressures on school districts in poor urban areas, where charter schools tend to be started. As a consequence, public school districts have to cut programs and services, which increasingly drives their students to seek alternative schools (Moody's, 2013), continuing the downward spiral for public schools. The American Federation of Teachers is one of the unions which opposes "charter school legislation that promotes profiteering, that promotes unsound educational practices, or that is detrimental to communities and students" (AFT, 2017), but they are in an unequal competition in this struggle over legislation, having less power than the policy network which aims to pass pro-choice legislation in every state of the nation, as evidenced by the continuously expanding federal and state laws on school choice (NAPCS, 2018d).

Second, education savings accounts and tax credit scholarships enable parents to remove their child from a public school, enroll them in a private school, and use a proportion of the government funds that would otherwise have gone to the public school to pay for the

private school's tuition and other costs. A part of these funds is not going to educational expenses but to the private financial management firms which manage them at for-profit market rates (ALEC, 2018d). This represents a wealth transfer from the public sector to the private sector. Additionally, whereas programs were initiated on the basis of supporting children of low-income backgrounds, they are increasingly accessible to children whose parents earn up to 300% of the poverty line, thus no longer qualifying as poor (see Table 3). With a continuous rise in eligibility to children of families with higher incomes, the proportion of poor children that receives these funds will become smaller, meaning that in the competition over resources, it is the working class that loses.

For Assumption 4 to be correct, there must also be a scarcity of resources in a zero-sum game: one party can only gain if another party loses, similar to the capitalist modus of class struggle between capitalists and their workers where an increase in wages means a decrease in profits (Marx, 1978a). By channeling students out of the public school system through school choice programs, public schools lose the funds that are attached to these students, and these funds then go to for-profit educational institutions or management organizations.

Next to the competition over resources that is played out in and amongst educational institutions, the large budget cuts on social spending by the local and federal governments that have occurred since the Great Recession of 2007 have significantly affected education budgets. As schools are the biggest public institution in the country, teachers and students have carried the largest burden of these cuts. Class sizes have increased¹⁶, and business models of

¹⁶ In 2007-2008, the average class size in elementary schools for teachers in self-contained classes was 20.3 pupils, and for teachers in departmentalized instruction it was 23.7. This had increased to respectively 21.6 and 26.2 in 2011-2012, an increase of 6.4% and 10.5% (National Center for Education Statistics, 2009 & 2013).

“accountability” have been applied to education, despite research showing that these models are worsening the situation (Knopp and Bale 2012).

Additionally, in 36 states, public school funding was lower in 2017 than before the great recession in 2008, and in many states, inner city schools (where most students of colour attend) experienced the deepest cuts (NAACP, 2017). In the competition over resources between the bourgeoisie and the workers, it is the poorest and most oppressed students of the working class which lose out the most. The school choice debate is thus fundamentally economical: the amount of money to be spent on education is relatively stable, and one party can only get more if the other party gets less.

For Assumption 4 to be true, there must also be a class struggle in the socio-economic domain between the organizations representing the bourgeoisie and the working class: employers’ organizations versus workers’ unions. This is true in the school choice debate as well, as advocates of school choice have waged such a strong attack on unions in general and teachers’ unions in particular that it can be labelled a class struggle between the bourgeoisie (as represented by their think-tanks and lobby organizations) and the workers of the education sector. Teacher unions have come under attack, as “anti-union corporate interest groups are spending over \$400 million to advance court cases and malicious legislation to undermine public education, break the teachers unions and undermine the rights of workers¹⁷” (American Federation of Teachers, 2018d). Additionally, union members are being blamed by SPN members such as the Pacific Research Institute and The Heritage Foundation for the dire state of education.

¹⁷ This is not only the case for teachers’ unions: the neoliberal agenda has demonstrated a sustained attack on unions in the entire economy (Kroll, 2011; Hagopian & Green, 2012)

For example, The Heritage Foundation has shown a strong anti-union sentiment in several articles (Spencer & Loris, 2007; Burke, 2010 & 2011c; Richwine & Biggs, 2011). One of its staff members describes the opposition by ‘liberals’ to school choice programs, and writes that “*fortunately*, many states have been able to move past the opposition from well-connected government teachers’ unions” (Sheffield, 2012). She also agrees with the following words by Mitt Romney: “When it comes to education reform, candidates cannot have it both ways – talking up education reform, while indulging the same groups that are blocking reform. You can be the voice of disadvantaged public-school students, or you can be the protector of special interests like the teachers’ unions, but you can’t be both” (2012). This suggests that the Heritage Foundation considers teachers’ unions to stand in the way of disadvantaged public-school students’ progress.

The foregoing section suggests that all three assumptions of conflict theory of education are applicable to the school choice debate in the United States. It also suggests that Assumption 4, as proposed by the author, is a valuable addition to the conflict theory of education. It thus contributes new ideas to the sociology of education.

4. Case study: Post-Katrina New Orleans

The following section uses post-Katrina New Orleans as a case study to which the foregoing theoretical assumptions will be applied. The education landscape in New Orleans provides a good opportunity to apply these assumptions because the district has implemented the strongest school choice policies of the nation since hurricane Katrina destroyed the city (Whitehurst & Whitfield, 2014). Public education in New Orleans has had a dismal reputation for decades, having one of the worst educational outcomes in the state of Louisiana and the nation. When Hurricane Katrina destroyed most of New Orleans’ schools in 2005, school choice

advocates saw this as an opportunity to start an educational context in which school choice would be implemented at the highest level seen in the nation so far. After Katrina, 107 public schools in New Orleans experienced a state takeover and became autonomous charter schools under the Recovery School District (RSD), whereas the RSD had managed only 5 schools before the takeover (Henry & Dixon, 2016; Education Research Alliance for New Orleans, 2018). This left the Orleans Parish School Board (OPSB) with less than 20 relatively high-performing schools under its control (Zimmerman and Vaughan, 2013). All teachers were fired, and the union contract expired. Most attendance zones were abolished, meaning that in principle, parents could choose any publicly funded school in the city to enroll their child in (Education Research Alliance for New Orleans, 2018). No other city has implemented school reform approaches as strongly as New Orleans, and in 2014, New Orleans adopted an all-charter model in the state-controlled Recovery School District as the first district in the nation (Layton, 2014). Charter school advocates “envisioned and communicated a market-based reform in which all parents choose the best school option available to them; non-optimal options [would] become non-viable and ultimately exit the marketplace” (Bierbaum, 2015: 271), an ideology strongly based on neoliberal, free-market thinking.

The next section compares the educational context of pre- and post-Katrina New Orleans and analyses the school choice proposals that were submitted for New Orleans, including how they were implemented. It describes the arguments of school choice advocates and opponents in New Orleans, and applies conflict theory of education to post-Katrina New Orleans. This is done by using Assumptions 1-3 by Hurn (1993) and Assumption 4 as proposed by the author in section 3.

4.1 Educational context of pre-Katrina New Orleans

Pre-Katrina, New Orleans had one of the worst education records of Louisiana and the nation. The annual rankings of the Louisiana Department of Education (2018a) show that the New Orleans district (which combines the Orleans Parish School Board (OPSB) and Recovery School District New Orleans (RSD-NO)) has had a long history of being either at the bottom of the ranking (65/65) or just above it (64/65) in the District Performance Scores (DPS). The DPS scores in Table 6 are based on a scale of 0 to 140 in most years, with an average of 48.9 between 1999 and 2005, equating to a failing grade (F).

Table 6: District Performance Scores of New Orleans by year (Source: Louisiana Department of Education, 2018a).

Year	1999	2001	2002	2003	2004	2005
DPS	37.5	51.1	46.4	50.1	51.2	56.9

In the years 2003-2005, the New Orleans district received an official Academic Warning every year. This is not surprising, as its students are some of the most disadvantaged in the state. In 2004, one year before Katrina, 77.2% of all students in New Orleans qualified for a free or reduced lunch, an indicator of living in a poor household. During some years, the percentage of students qualifying for free or reduced lunch was higher than 80%, and in several schools, the percentage was consistently over 95% (Louisiana Department of Education, 2015). In 2004-2005, the graduation rate of Orleans Parish students was 56 percent, at least 10 percentage points below the state average (Harris, 2015)

In 2003, the state of Louisiana granted the Louisiana Board of Elementary and Secondary Education (BESE) the legal right to take over “chronically low-performing schools” (Zimmerman and Vaughan, 2013: 176). If test scores and other performance measures were

too low, they could be turned over to the newly created state-run RSD. The RSD had taken over five schools in New Orleans before Katrina (Zimmerman and Vaughan, 2013). When Katrina hit, school choice advocates convinced the state and federal government of the benefits that school choice would offer to the New Orleans education system.

4.2 School choice proposals for post-Katrina New Orleans

Less than two weeks after hurricane Katrina destroyed New Orleans, The Heritage Foundation published a Special Report titled *From Tragedy to Triumph: Principled Solutions for Rebuilding Lives and Communities* (Meese, Butler & Holmes, 2005). Many of the recommendations in the report were put in practice almost immediately. When it comes to education, the report recommended a number of policy initiatives:

- “Federal financial aid, when necessary, should be provided in a manner that promotes accountability, flexibility, and creativity. In general, tools such as tax credits and voucher programs, which allow individuals and families to direct funds, should be utilized to encourage private-sector innovation and sensitivity to individual needs and preferences” (2005: 1).
- “Private entrepreneurial activity and vision, not bureaucratic government, must be the engine to rebuild. New approaches to public policy issues such as enhanced choice in public school education should be the norm, not the exception. New Orleans and other ravaged cities will look different a decade from now, even though they will retain their individual essence. The critical need now is to encourage investors and entrepreneurs to seek new opportunities within these cities. Bureaucrats cannot do that” (2005: 1).
- “School districts affected by Katrina should be included as part of the declared Opportunity Zones, where tax incentives are provided for education service providers and for school construction to spark longterm improvements. For example, business tax incentives could be offered to education service providers, such as charter school operators or after-school tutoring companies, to encourage redevelopment and reinvestment in affected areas. This would promote quality educational options in all areas of the city, including those that previously had none” (2005: 6).
- The federal government should resist pouring resources into one-time school construction projects. Any new funding associated with rebuilding educational facilities should encourage state and local authorities to implement creative public-private partnerships through leasing arrangements. For example, education providers such as public schools (as well as charter and private schools and after-school tutoring

companies) should be given opportunities to lease schools from private contractors through leasing arrangements” (2005: 6).

Most of these recommendations have been implemented, as the next sections will show in their analysis of the outcomes. Again, the report does not refer to independent sources for evidence or rationale for its proposals. Out of the 18 sources of ‘recommended reading’, 17 are published by Heritage itself, and 1 is from the Public Policy Institute, a like-minded think-tank.

The Cato Institute published three articles in 2005 relating to post-Katrina New Orleans. David Boaz, executive vice president of the Cato Institute at the time, argued against federal assistance programs for post-Katrina New Orleans, and stated that those would be less necessary if dependency on government programs had not “so destroyed wealth and self-reliance in the people of New Orleans that they were unable to fend for themselves in a crisis” (The Cato Institute, 2005). He does not explain, however, how people can potentially fend for themselves during and after a hurricane that left their houses destroyed and several feet under water. Another Cato fellow argues that social security safety nets are not the solution to problems in New Orleans, as those had so far not helped to eradicate the poverty in the city: “When it comes to fighting poverty in New Orleans, we’ve spent billions, and accomplished almost nothing” (Tanner, 2005). What he proposes instead is ensuring a quality education, as being one of the methods to effectively fight poverty. It argues that the educational outcomes of New Orleans are dismal, and that the solution lies in school choice, such as charter schools and vouchers. No evidence, however, is provided to show that this would mean a solution to New Orleans’ deep-rooted educational problems. The rest of the article also problematizes the high rate of teen births and children being born out of wedlock in New Orleans and the link between welfare payments and out-of-wedlock births, implying a causal connection between

the two. It suggests a cap on benefits for additional children born out of wedlock, but does not provide evidence as to how this would help young mothers overcome a historical cycle of poverty not of their own making. As New Orleans is predominantly Black, this section of the article perpetuates a racist stereotype of Black mothers as “welfare queens” without proposing any solutions to fighting the poverty that often befalls the children who grow up under these conditions.

Lastly, Cato’s Chairman at the time stated in a testimony in the House of Representatives that the government should not impose price controls on food, gasoline and rent in New Orleans in the aftermath of Katrina. He argued that “price increases following a supply shock serve two important functions: they allocate the available supply of goods to those who value it most, and they encourage those who own or produce the goods to increase the available supply” (Niskanen, 2005). The chairman, however, does not address the fundamental problem that most pre-Katrina New Orleans citizens were already poor, and that the hurricane destroyed everything they owned. The fact that they do no longer have the money to pay for food or housing does not mean they value it less than those who do have the financial means for these basic necessities.

Overall, the proposals of the school choice advocates are not based on scientific evidence, nor do they center the needs of the predominantly Black and poor populations in New Orleans that were most affected by Hurricane Katrina. ALEC, NAPCS and the Walton Family Foundation have no publications available on their website relating to post-Katrina New Orleans.

4.3 School choice advocates' arguments and statistics about educational outcomes of post-Katrina New Orleans

Thirteen years after Katrina, scholars and organizations are still debating whether the education system in New Orleans is better off than pre-Katrina. This section discusses the arguments of school choice advocates and the data they use to make their claim that, as former Secretary of Education Arne Duncan argued in 2010, “the best thing that happened to the education system in New Orleans was Hurricane Katrina (...) the progress that it made in four years since the hurricane is unbelievable” (Russom 2012: 118).

The Louisiana Department of Education (2018b) published a number of statistics which support the idea that New Orleans was better off after the school choice reforms were implemented. These include the rise of the city's graduation rate from 54% pre-Katrina to 72.8% by 2017, the higher percentage of students which attended a nonfailing school (37% in 2005 versus 88% in 2017, with 61% attending an A, B, or C school, the higher percentage of students scoring Basic or above on state assessment for elementary and middle school (33% in 2005 versus 53% in 2017), and the increasing percentage of high school graduates enrolling in college the fall after their graduation (37% in 2005 versus 61% in 2017, which is higher than the statewide average of 58%).

In 2014, Whitehurst and Whitfield published their Education Choice and Competition Index (ECCI) for 2013 of more than hundred U.S. school districts. It is a ranking based on the level of school choice legislation and implementation. A high score on the ECCI means that a school district, amongst other indicators, provides parents with maximum choice (including traditional public, magnet, charter, and private schools), rich information on school performance, funding and management processes that favor the growth of popular schools at

the expense of unpopular schools, and subsidies for the costs of choice for poor families, particularly for transportation. The Recovery School District (RSD) of New Orleans achieved the number 1 rank on this index, as the only district with an A grade (83%), and the Orleans Parish School Board became number 3 with an A- grade (71%) (see Table 7).

Table 7: Education Choice and Competition Index (ECCI) 2013, rank 1-5. Source: Whitehurst & Whitfield, 2014: 12.

Rank	District Name	Grade	Numeric Score
1	Recovery District (New Orleans)	A	0.83
2	New York City	A-	0.73
3	Orleans Parish	A-	0.71
4	Houston	B	0.63
5	Denver	B	0.61

The RSD achieved this number 1 position because it scores well on almost all components of the ECCI:

“There is high availability of choice, with nearly 80 percent of schools being charters, a good supply of affordable private schools, vouchers for private school attendance available from the state, and virtual education provided through the Louisiana Virtual School. The school assignment process maximizes the match between parental preference and school assignment through an ideal computer matching algorithm. There is no default school assignment (everyone must choose), a common application for traditional public schools and charters, and information on school performance that includes test results for children attending private schools. Information on school performance is clearly presented with support for parents in understanding and navigating the choice process. Transportation expenses to schools of choice are covered through free public transportation tokens or yellow bus service” (Whitehurst & Whitfield, 2014: 8).

These components show that many of the recommendations made by The Heritage Foundation and the wider school choice movement were implemented, such as the high availability of choice through charter schools, private schools, voucher programs, which “encourage private-sector innovation”, according to Heritage (Meese, Butler & Holmes, 2005: 1). Some of the ECCI indicators where the RSD could still improve include:

“additional information on school performance, which presently lacks data on teachers and principals, does not present school gains calculated from individual student test scores, does not reveal the popularity of schools based on their rankings in parental preference, and does not enable side-by-side school comparisons” (Whitehurst & Whitfield, 2014: 8).

The RSD in New Orleans uses an application system which includes RSD-operated schools, other charter schools, Orleans Parish School Board schools, and private schools participating in the Louisiana Scholarship Program (Whitehurst & Whitfield, 2014). This increases the convenience for parents and the likelihood of the best match between parents’ choices and school assignments. So, even though not everyone gets into the school of their first choice, sophisticated computer algorithms produce results that are as fair and equitable as possible (Whitehurst & Whitfield, 2014).

Whereas the RSD is the most successful in the nation at implementing school choice, their school results are still amongst the lower ranks in the state. School choice advocates nevertheless point to the statistics which show that whereas the education results in New Orleans remain below the state average, they did improve since Katrina. A CREDO (2018) study has summed up the differences between pre- and post-Katrina, including the factors that are correlated with positive or negative outcomes. CREDO’s first conclusion is that the reforms in New Orleans are responsible for large improvements in student achievement. The city’s performance ranking relative to other districts in Louisiana increased from 67/68 to 42/68. However, as Figure 4 shows, its test scores remain below the state average.

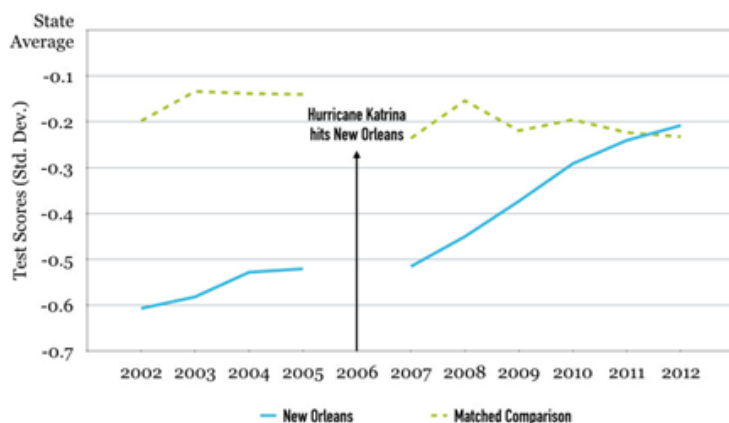


Figure 4: Student achievement increased in New Orleans relative to similar school districts

Statistics from the NAPCS (Kingsland, 2015) show a similar pattern: New Orleans is catching up but remains behind the state average (Figure 5).

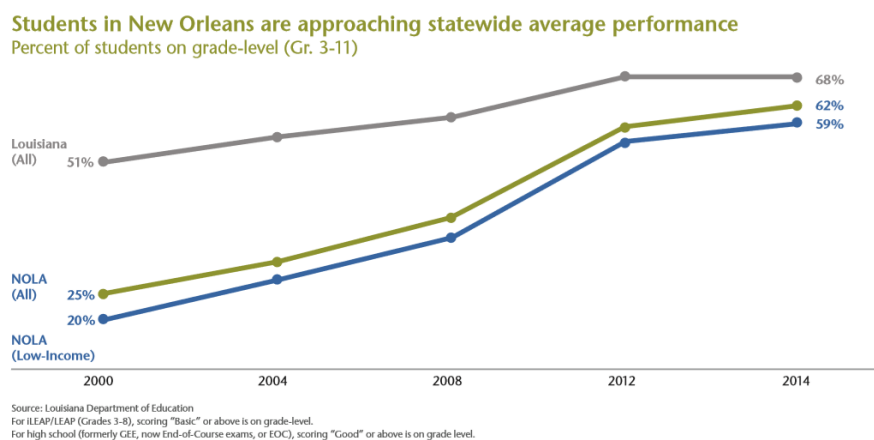


Figure 5: Students in New Orleans are approaching statewide average performance. Source: Kingsland, 2015: 3

Some of the new charters in New Orleans were built under the Charter Restart Model (CRM). Under this program, the RSD and NSNO aimed to turn around some of New Orleans' lowest performing schools into top performing schools and to provide 15,281 seats for pupils. CREDO concluded that the CRM did not achieve this goal, as only half of the CRM schools had a positive impact on students' results. However, at the same time, most CRM schools perform better than the low performing schools they replaced, as incremental improvement did

occur compared to the closing schools. Statistics to support this statement are not provided by CREDO, but Figure 6 by the Education Research Alliance for New Orleans (ERA-NO, 2018) supports their argument.

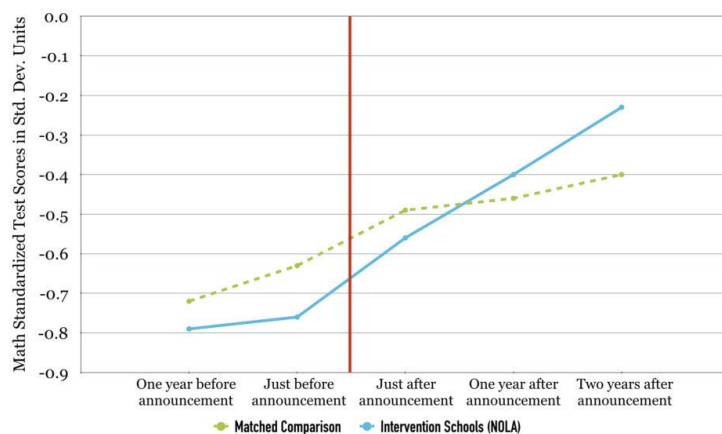


Figure 6: Students in schools that were closed or taken over experienced significant improvements in student achievement. Source: ERA-NO, 2018.

The CREDO report showed that there was an important difference between successes of new charter schools which used a ‘Fresh Start’ approach compared to the ‘Full Turnaround’ approach. In the Fresh Start approach, schools opened with only one or two entry grades, to grow incrementally from there. The Full Restart meant that all grades of the closing school remained in the new school. Figure 7 shows that the Fresh Start approach resulted in 51 additional days of learning in reading and math when compared to traditional public school (TPS) students, although these differences are only statistically significant in reading. The Full Turnaround students made less progress than TPS students, but these differences are not statistically significant. At the same time, the Fresh Start approach is no guarantee to success either, because half of the CRM schools which had academic growth below or equal to zero were Fresh Start schools (CREDO, 2018).

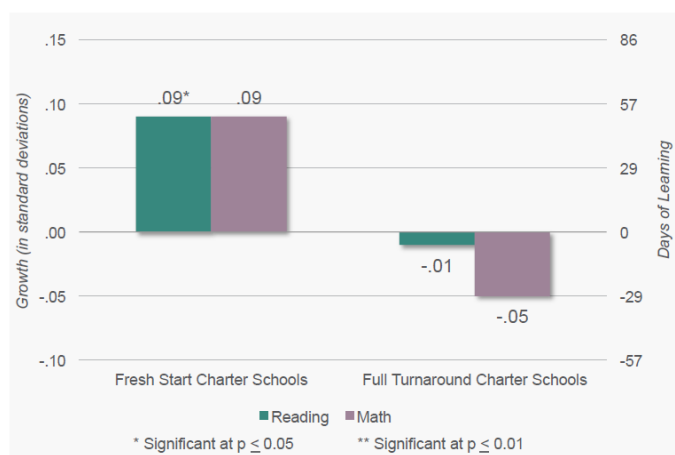


Figure 7: Learning gains of CRM students benchmarked against learning gains of TPS Students-Overall. Source: CREDO, 2018: 15.

The last argument of school choice advocates in favour of New Orleans educational results addresses democratic control of schools. Whereas opponents argued that the abolition of the elected city school board disrupted the democratic control they used to have in the governance of schools, advocates argue the opposite, suggesting that charter reform resulted in more democratic control because every school or cluster of schools under a CMO had its own board. This meant more board members, equating to more seats for parents and others to inform school governance (Bierbaum, 2015).

In the months following Katrina, school choice advocates such as The Heritage Foundation and the Cato Institute published numerous articles on the opportunities that the destruction of New Orleans would offer to rebuilding the city from ‘Ground Zero’ according to their ideologies and proposals. The meager results of the almost complete implementation of school choice ideology described in this section might explain why they have not published any reports celebrating the effects of their advocacy in New Orleans. Nevertheless, they continue to publish several commentaries each year on the benefits of school choice in general, even though the city that has the highest rankings in the ECCI (number 1 and 3 out of 100) and

thus implemented school choice the most, has such dismal results to show for it. This again suggests that school choice advocates rely more on ideology than factual evidence.

4.4 Critiques of the school choice outcomes of post-Katrina New Orleans

The disappointing results of educational outcomes described above provide grounds for criticism and reservations, not only by those organizations and persons who were opponents to school choice from the beginning, but also by independent scholars and organizations which evaluate the quantitative and qualitative outcomes of the city with the highest level of school choice implementation in the nation. Even organizations which are positive in their final evaluations of school choice implementation in New Orleans, such as the Education Research Alliance for New Orleans (ERA-NO), provide several critiques and instances where improvement is necessary.

Segregation

Pre-Katrina, schools in the district were already heavily segregated by ethnic background and income. Public schools primarily served black students, partially because 22% of all students in New Orleans, including the majority of white students, are enrolled in private schools (Weixler, Barrett, Harris, & Jennings, 2017). Critics argue that the dismantling of public education in New Orleans left its residents with an increasingly separate and unequal education system (Akers, 2012). For example, the city's student enrollment, income and school performance patterns suggest that higher income students benefit most from school choice. Low-income students have fewer quality school options in their neighborhood, yet attend schools closer to home than their peers, likely caused by lack of resources, transportation, and information (Zimmerman and Vaughan, 2013).

The Education Research Alliance for New Orleans (ERA-NO) at Tulane University argued that whereas all subgroups of students showed higher achievement gains post-Katrina, those who benefited the most were white and middle-class students, thus increasing the gap between them and black and low-income students. This can partially be attributed to the increasing segregation based on income, the fact that some schools selected students (rather than the other way around), and high rates of suspension and expulsion (ERA-NO, 2018). As Figure 8 shows, the student subgroups for whom the ERA-NO could find the strongest evidence of increased segregation were Black, Hispanic and low-income students, and English Language Learners (categories which can overlap, e.g. a Hispanic low-income English language learner). Thus, the most disadvantaged students risk facing the most segregation since the reforms.

Student Subgroup	Elementary	High School
Black	↓	↑
White	↔	↔
Asian	↓	↔
Hispanic	↑	↑
Low-Income	↔	↑
English Language Learners	↔	↑
Special Education	↔	↓
Bottom 20% ELA Achievement	↔	↓
Top 20% ELA Achievement	↑	↓

Strong Evidence Some Evidence No Discernible Effect

Figure 8: Student Subgroups with Discernable Reform Effects on Segregation. Source: Weixler, Barrett, Harris, & Jennings, 2017: 4

Furthermore, millions of dollars provided by the federal government to promote equal access charter schools were oftentimes given to those charter schools which served the lowest number of disadvantaged children (Green, 2015). This is in line with national inequitable

funding trends because the highest poverty districts in the United States receive approximately \$1,000 less per student than districts with the lowest poverty. When comparing districts serving the most students of color and those serving the fewest, the differences on a national level are almost twice as large: districts serving the most students of colour receive about \$1,800 less per student (Morgan and Amerikaner, 2018). As the New Orleans public school student population is both predominantly poor and Black, it has been on the receiving end of both forms of inequitable funding for a long time. The resulting separate and unequal conditions in public schools in New Orleans include charters which lacked working bathrooms, water fountains, and science laboratories, and who had more security guards than guidance counsellors (Dixson, Buras & Jeffers, 2015).

Lastly, even though Figure 8 suggests that segregation for special education students decreased, the school choice philosophy as propagated by the RSD risks increasing segregation, as charter schools focus on cost containment in special education. The RSD Guide encourages other cities who might adopt the RSD model to

- “(1) Allow charters to develop specialized programs for certain disabilities so that parents have choices that include programs tailored to their children’s needs, and so that *economies of scale* can be captured in program delivery; and
- (2) Create *risk pools* that individual schools can participate in to cover the potential costs of serving students with high needs” (in Anderson, 2016: 44 [emphasis added]).

However, such terminology indicates segregation instead of inclusion, the practice of which is against federal law and special education advocacy and best practices in general. It also suggests that students with disabilities are seen as market opportunities. As Anderson argues, “by encouraging charter schools to tailor specialized programs that can reach economies of

scale, we run the risk of students being marketed to based on their disabilities, and consequently, violating the mandate for the least restrictive environment” (2016: 44).

[Racism and the balance of power](#)

Researchers and educators argue that the New Orleans education system is currently more racist than it was before Katrina (Dixson, Buras, and Jeffers, 2015; Henry and Dixson, 2016). They provide several indicators for this allegation. First, even though African Americans represent a much larger proportion of the population and used to have a majority in boards and councils, White people got to hold most positions of power in post-Katrina’s education sector (Dixson, Buras, and Jeffers, 2015). In 2007, the New Orleans City Council became majority White. In 2008, this happened to the Orleans Parish School Board (OPSB) for the first time in over 20 years, and when all 7500 employees (most of whom were Black and experienced) in the OPSB were fired post-Katrina, their replacement was predominantly young, inexperienced, and white. This had disturbing effects on the racial balance of the education community and the Black middle class (Dixson, Buras, and Jeffers, 2015). Black teachers lost their union protections, and the alternatively licensed (predominantly White) teachers of Teach for America and TeachNOLA represented an assault on African American educators labor interests, “while enriching White educational actors and solidifying White dominance (Henry & Dixson, 2016: 223). The “entire power structure of public education in New Orleans has been recast to represent the views, beliefs, and desires of a White minority” (Dixson, Buras, and Jeffers, 2015: 289), premised upon the racist notion that Black Americans are not only unfit to govern their own schools but also to teach their own children. Dixson, Buras & Jeffers argue that education reform in the city has provided the means for White entrepreneurs to “raid the public school treasury and create new markets at the expense of poor and working-class

students of color in urban schools” (2015: 290). As evidence, they provide several case studies of public schools which were chartered despite resistance by the local community, highlighting the anti-democratic process at play in the school choice movement where White elite outsiders (including consultants, wealthy foundations, corporations, and policy makers) decide what is best for poor Black communities and their children’s education.

For example, when John McDonogh Senior High School became chartered in 2006 under the RSD, conditions were appalling. There was one certified English teacher for 1,200 students, there were no computers, textbooks, water fountains, or school phones, and some classes had more than 100 students. The school employed more security guards than teachers (Dixson, Buras & Jeffers, 2015). In August 2012, the school was taken over by the CMO ‘Future is Now Schools (FINS). The school received a federal grant of \$800,000 through New Schools for New Orleans (NSNO), the majority of which was spent on the salaries of White men, rather than teacher salaries, repairs or building a promised chemistry laboratory. These White men included the CMO founder, the CMO Chief Financial Officer, and the former president of FINS (Dixson, Buras, and Jeffers, 2015).

The CMOs that were contracted to provide educational management of charter schools had little to no experience with environments such as New Orleans. Furthermore, they hired inexperienced, young, uncertified or alternatively certified White teachers who were oftentimes not from New Orleans (discussed in detail below). Students complained that teachers did not understand them or their experiences, and that they were frequently “discriminated against, mistreated, put out of school, arrested, disrespected, silenced and undereducated” (Students of Cohen, in Dixson, Buras, and Jeffers, 2015: 296). The statistics in Figure 9 support the allegation that they were disproportionately put out of school through

suspension and expulsion. In 2011-2012, the state average of the student body that was sent home at least once was 9.2 percent, while in New Orleans, several charter schools had percentages up to 51% in 2011-2012 and up to 69% in 2012-2013 (Dreilinger, 2014).

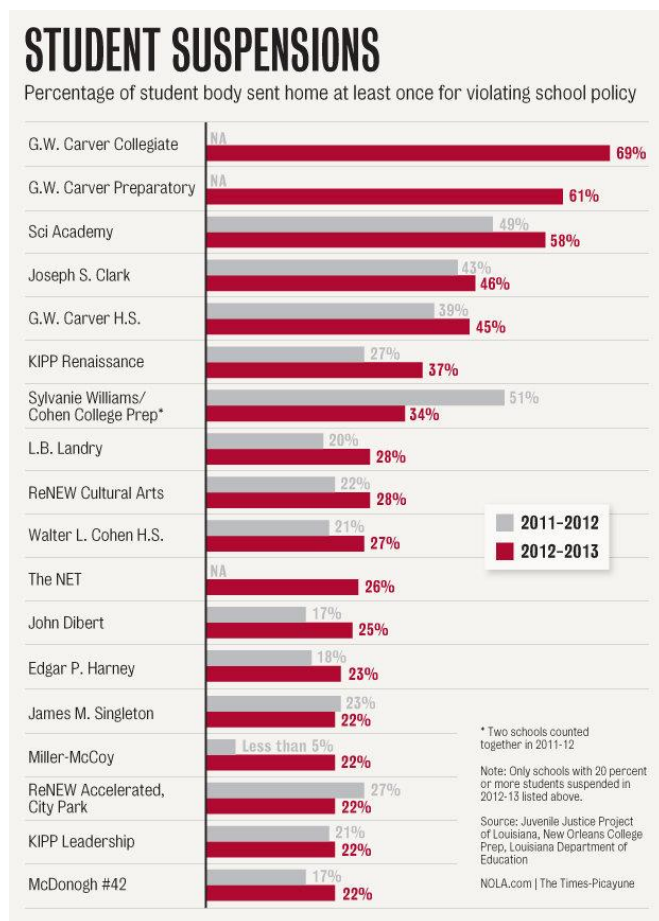


Figure 9: Student suspensions in New Orleans charter schools (Source: Dreilinger, 2014)

CMOs promised high educational results, but their students cannot learn if they are not in school. Reasons for sending students home included chewing gum, sneezing too loud, not wearing the right shoes (even though some students' families simply did not have the money to buy the right shoes), and not walking in line in the hallways (Dreilinger, 2014). In contrast, the Louisiana Department of Education maintains that the “centralized student expulsion process ensured due process for students and decreased the students expelled to an alternative

setting to 0.32%, leading to one of the lowest expulsion rates for an urban area nationwide” (2018b).

Additionally, state governor Kathleen Blanco issued two executive orders after Katrina which “eliminated pre-existing charter school laws that called for votes of approval from parents, faculty, and staff before a school could be taken over as a charter. In the case of New Orleans, this meant a codified and state-sanctioned silencing of the majority Black community—parents, educators, and students—in decision making regarding charter schools” (Henry & Dixson, 2016: 222), thus dispossessing Black parents and teachers from their right to influence the education of their children. In the process of turning almost all the city’s schools into charters, Black teachers thus lost their voice in “democratic” institutions and processes, a practice which many expressed to be grounded in the racial make-up of the city (Henry & Dixson, 2016).

Lastly, the foundations and organizations which have provided the major funds for education reform in the city are predominantly White as well. These include the Walton Family Foundation, Broad Foundation, and the Bill and Melinda Gates Foundation (Dixson, Buras & Jeffers, 2015). The funding of some major organizations came with conditions such as prohibiting schools from entering into collective bargaining agreements with the local union (Henry & Dixson, 2016), thus harming the teaching force even more. By tying charter funding to personnel policies, public education in New Orleans was increasingly turned into “an overwhelmingly White-dominated enterprise that tacitly restricted Black educators” (Henry & Dixson, 2016: 230).

Test scores and unequal achievement gains

School choice has not produced the results promised by its initiators (Green, 2015). Whereas its advocates point to improving test scores (see section 4.3), the latest statistics of the Louisiana Department of Education show that most gains in district performance scores (DPS) have already declined to pre-2006 levels (see Figure 10). The DPS scores in Figure 10 are based on a range of 0 to 140 in most years, with an average of 81.8 between 1999-2017. In 2017, the district performed below this average for the first time since 2005.

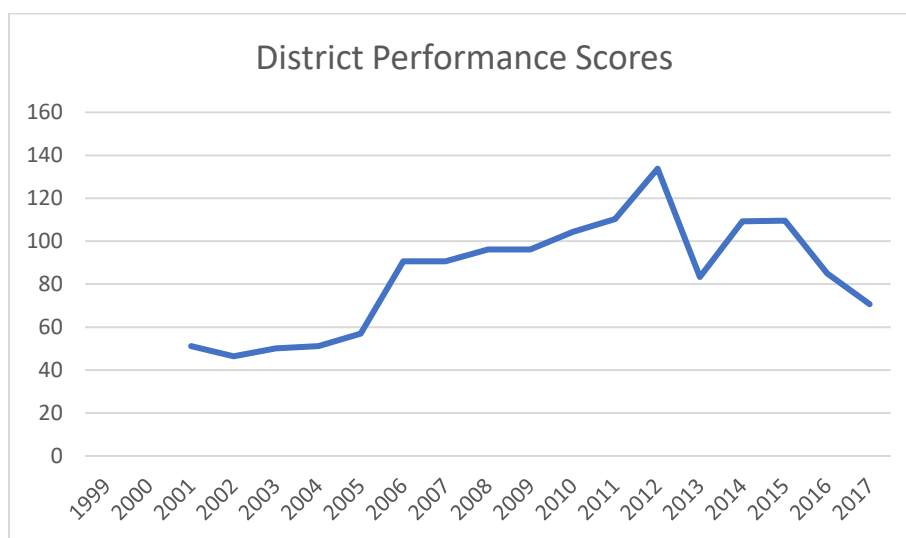


Figure 10: District Performance Scores of New Orleans by year (Source: Louisiana Department of Education, 2018a).

This process has been the same for students who participated in the Louisiana Scholarship Program (LSP), a voucher program through which students can use public funds to attend private schools, including religious schools. The ERA-NO (2018) has concluded the LSP has demonstrated an absence of positive effects after three years (see Figure 11). In Charter Restart Model (CRM) schools, student progress in reading or math did not differ from non-CRM schools in New Orleans (see Figure 12). This means that the CRM's performance targets were

not achieved. On individual school levels, only 3 out of 13 schools in New Orleans achieved its reading target, and 2 out of 13 achieved this target in math (CREDO, 2018).

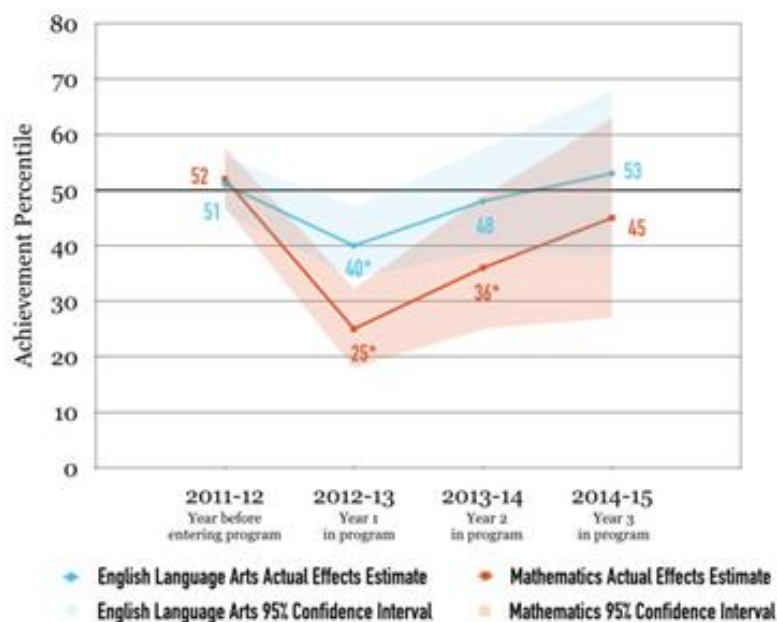


Figure 11: The LSP had no effect on student achievement after three years (Source: ERA-NO, 2018)

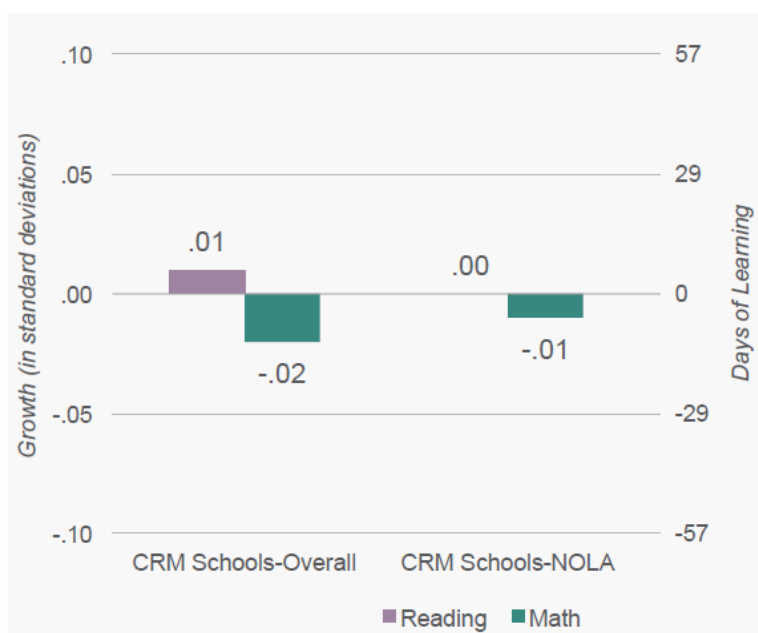


Figure 12: Relative Learning Gains of CRM Students Benchmarked Against Learning (Source: CREDO, 2018: 14).

Inexperienced teachers

Charter schools in New Orleans were “an integral part of the blueprint to obliterate whole bargaining units, like United Teachers of New Orleans” (Russom, 2012: 132), which was the strongest union in the state (Henry & Dixson, 2016: 230). As all teachers (72% of whom were Black (Henry & Dixson, 2016)) were fired, and new ones were hired, the typical signs of school quality (low teacher turnover, high levels of experience among teachers, and more advanced credentials) declined substantially (see Figure 13). Furthermore, the new teachers often came from outside the city and had weaker ties to the New Orleans community (ERA-NO, 2018).

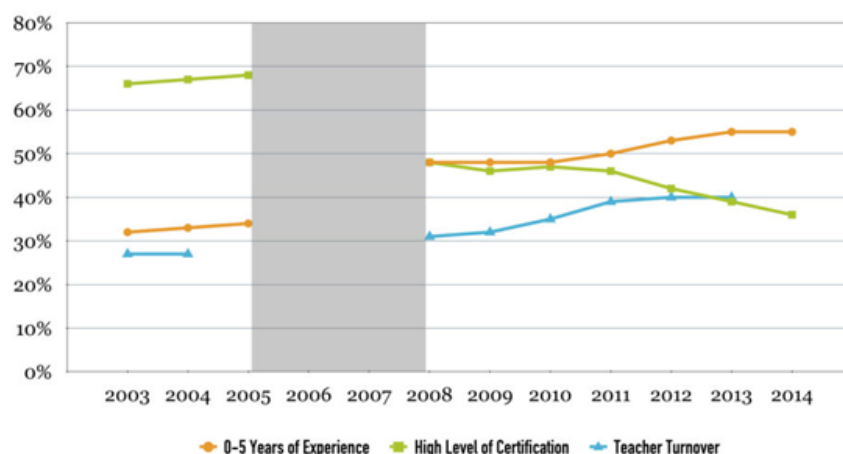


Figure 13: Teacher experience and credentials declined after the reforms while teacher turnover increased (Source: ERA-NO, 2018)

New teachers were predominantly young, White, and alternatively licensed or non-certified. They came through education reform organizations such as Teach for America (TFA), New Leaders for New Schools, and the New Teacher Project. By hiring such teachers, New Orleans could reduce instructional spending (see Figure 14), something which The Heritage Foundation has advocated for nation-wide (Burke, 2011c).

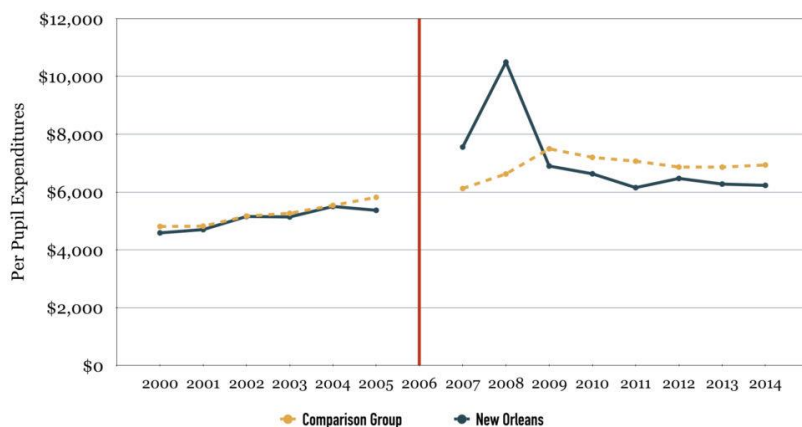


Figure 14: The reforms reduced instructional spending (Source: ERA-NO, 2018).

Inexperienced CMOs

CMOs in New Orleans have proven to be incapable to turn around failing schools through their charter approach, as they had little to no experience with, nor capacities for doing such work under post-Katrina's extremely difficult circumstances. Despite this lack of overall positive results, New Orleans is on track to become a 100% charter district (CREDO, 2018).

CREDO's (2018) interviews and site visits with principals, teachers, school or CMO staff and others demonstrated that each school experienced periods of serious struggle. School leaders and teachers started off with a strong belief in their ability to engage their pupils in learning successfully, but within a year, teachers were significantly less optimistic due to their student needs being much higher than anticipated. While this motivated some schools to enrich students' experiences, others became less academically rigorous in their goals and philosophies. Principals also had a difficult time to find suitable teachers, and teachers were frustrated with the level of professional development resources. This resulted in high teacher turnover and a teaching corps which was inexperienced year after year, and high principal turnover. One CRM school had five leadership transitions during the study period, impacting

cohesion and operations. CREDO concluded that when schools open without strong leadership and operational systems in place, they rarely recover from this starting position. This occurred regularly, as the RSD and NSNO were willing to abandon selection criteria when they had to choose between CMOs which could not meet these criteria or no operators at all, due to the pressure to make grants in every CRM round. This led to a systemwide downgrading of its primary goal, the creation of “an ecosystem of high performing schools, not merely an ecosystem of schools incrementally better than the ones they replaced” (CREDO, 2018: 19).

CMO competition at the expense of the public good

Since CMOs are decentralized actors (they are not coordinated by a central authority such as a city’s school board), individual management organizations do not face any incentive to take the entire system into account in which they work. This creates a number of negative externalities, because the competitive environment in which they find themselves in New Orleans incentivizes them to pursue their own goals and maximize the “benefit to their own organizations at the expense of the collective good” (CREDO, 2018: 20). CREDO therefore advises that

“without external intervention or oversight, a fully decentralized system will not prevent predatory behavior. Equity must be imposed – it is not baked into the CRM design, despite the commitment to educational equity that a school improvement initiative might imply (...) CMOs may be the most effective lever for change, but the CRM includes no inherent controls to prevent that change from coming at the expense of other organizations. More broadly, CMOs will not “become the system” without thoughtful, carefully calibrated structural incentives to do so. In New Orleans, which will soon have a 100% charter district, this point is especially salient. During the early years of this evaluation, the system-level partners behaved as if leaving the CMOs maximally unfettered would result in the emergence of an equitable, functional, sustainable system. That was not – and will not – be the case. CMOs may be the locus of school improvement, but they are not the locus of systems improvement” (CREDO, 2018: 20).

However, one could question what the benefits are of turning New Orleans into a 100% charter district, only to then impose the external intervention or oversight which was abolished when school choice was implemented. It would recreate a similar system as the city had before, except now a larger amount of money flows to costly management organizations and administration due to loss of economies of scale and decentralization (see Figure 15), less money is spent on teachers (see Figure 14), teachers are less qualified (Figure 13), transportation costs almost doubled (up to \$750 per student per year), and schools struggle with addressing system-wide challenges such as the supply of teachers (ERA-NO, 2018).

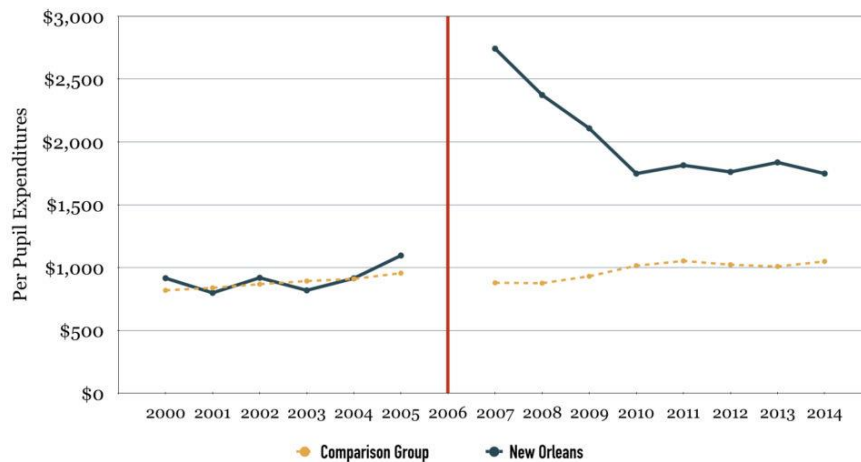


Figure 15: The reforms increased administrative spending. Source: ERA-NO, 2018.

4.5 Conflict theory of education in post-Katrina New Orleans

This section examines the three assumptions of conflict theory of education (Hurn, 1993) and the fourth assumption developed by the author in the post-Katrina New Orleans educational context, in order to provide a sociological discussion of the ways in which a debate between interest groups with large power imbalances played out in a practical educational context where

the destruction caused by a hurricane enabled the almost total implementation of neoliberal ideology.

Assumption 1: Society is divided and conflict-ridden, and groups compete for the control of the educational system to influence *whose* values and ideals will be taught, and *whose* children will land the desired jobs.

The foregoing sections have established that the school reforms in New Orleans have played out in a divided, conflict-ridden context, where advocates and opponents of school choice compete for the control of the city's education system. By turning public schools into charter schools which have greater control over their curriculum, including religious education, school operators have an influence on *whose* values and ideals are taught. In addition, through their policies and actions of taking over public schools, it is evident that the competition which is inherent to neoliberal education creates a two-tiered system, where the general worker is turned into an industrial worker whereas the elite children need to be taught creativity (Chomsky in Parramore, 2018b). Dixon, Buras & Jeffers (2015) provided several examples where this practice could be witnessed in New Orleans. One is the John McDonogh Senior High School. This public school had several Advanced Placement (AP) courses at Tulane University, such as AP Chemistry and AP English during 2008-2009. The next year, AP Biology and AP Statistics were added, and its students were doing well: McDonogh students achieved the highest Graduate Exit Exam (GEE) scores in the Recovery School District. However, during the 2010 summer, the AP program was pulled away from McDonogh and placed at Sci Academy instead, a high school under the management of CMO Collegiate Academies. Even though these students were evidently academically advanced, following college-level courses, Sci Academy told them they needed to master basic skills, "rather than read, discuss, and apply

the works of Plato, James Baldwin, and Ralph Ellison or conduct experiments in the promised chemistry lab” (Dixson, Buras & Jeffers, 2015: 293). Taking these bright students out of their public school and placing them and their AP program in a charter was interpreted as “part of a larger effort to set up the remaining public schools for academic failure while making charter schools seem successful” (Dixson, Buras & Jeffers, 2015: 293). Additional evidence for this interpretation is that McDonogh’s School Performance Score (SPS) had doubled and met its Annual Yearly Progress (AYP), but nevertheless, all but one administrator was transferred to another school. This suggests that even when public schools are successful, those in favour of school choice make efforts to reduce their success by taking away their brightest students and placing them in their own charter schools, where they were not given the same opportunities in their AP program, and transferring the administrators under whom their successes were achieved. This is in line with Assumption 1: the competition between groups (in this case the supporters of public versus charter schools) affects whose children will land the desired jobs: taking predominantly Black high school children out of their AP courses at Tulane University and letting them focus on basic skills instead reduces their chances at academic success in their future, thus affecting their chances of getting the desired jobs. It is an effort to prepare these children of marginalized backgrounds for a lifetime of servitude under capitalism, while the children of the elite continue to have access to the best private schools with a rich curriculum, preparing them for leadership instead.

In addition to influencing whose children will land the desired jobs in the future, the school reforms in the city also directly affected who would land the desired jobs in the present. New Orleans fired all its public school teachers, and they were replaced over the years with teachers from e.g. Teach for America, an organization where a teaching certificate or master’s

degree are not a requirement in order to start teaching. Teachers learn on the job and get their certificate afterwards. It is questionable why a district, which has been struggling for so long and has had a hurricane destroy it, would fire its 4,300 experienced and certified teachers (the average number of years of experience of New Orleans teachers before Katrina was 15 years ((Lincove, Barrett & Strunk, 2017)) and would hire young people who do not even have a teaching certificate yet. Additionally, the website of Teach for America states that whereas the organization normally offers a choice between two certification programs (The New Teacher Project and Relay Graduate School of Education), it only offers The New Teacher Project in the Louisiana Delta where New Orleans is located. The New Teacher Project is described as training “high-performing teachers for over 12 years and has been the top-performing teacher certification provider for the past five years”, whereas the Relay Graduate School of Education “is a unique, rigorous teacher training program designed specifically to respond to today’s urgent demand for effective teachers in low-income communities” (Teach for America, 2018). As New Orleans is a predominantly low-income community, it would benefit more from teachers who have been taught how to be effective teachers in such environments. The fact that Teach for America does not train them to be effective there suggests that this is an institutional problem which causes New Orleans’ poor students not to get the education they deserve, and which causes predominantly White teachers who are not certified nor appropriately trained to get the desired jobs which were first fulfilled primarily by certified teachers who knew and came from the New Orleans communities they served, and who were all fired without being provided a rationale for their firing. By 2013, only 22% of the pre-Katrina teaching force had returned to teach in New Orleans (Lincove, Barrett & Strunk, 2017) This exemplifies that Assumption 1 is applicable to New Orleans students *and* their post-Katrina teachers.

Assumption 2: The competition between groups is unequal, because existing elites have more resources to influence decision-making and public opinion than their opponents.

School choice advocacy in New Orleans has found its primary supporters among organizations and foundations from outside New Orleans, whose principal interests are in free enterprise and profit-making, such as The Heritage Foundation, and the owners of the Walton Family Foundation. Most of the opposition to the reform has come from teachers, parents, and students themselves, many of the latter two groups coming from poor backgrounds and thus having significantly less power to influence policymaking. However, as section 4.4 demonstrated, these two opposing groups did not only have power differences due to economic/financial reasons. School choice advocates were predominantly wealthy *and* White, whereas opponents were predominantly poor *and* Black. In the North American context and elsewhere, being White comes with power regardless of economic status (Roberts, 2011). Research shows that New Orleans inhabitants have vocalized these power differentials very strongly. They disagreed with the fact that their predominantly poor and Black education system, which was destroyed by a hurricane, became the laboratory or testing ground for the educational ideologies of wealthy White outsiders who had no knowledge of their histories and culture, and who did not allow them to participate democratically in the radical school reforms (Dixson, Buras, and Jeffers, 2015; Henry & Dixson, 2016). This experimentation was so new that it required a new name, and education reformer Paul Hill called it the “portfolio” model (Harris, 2015). Parents, teachers, and students who fought back against the reforms, however, called it the “colonizing of public education in New Orleans” (Dixson, Buras, and Jeffers, 2015: 296), an evident expression of their awareness of the stark power differences between the reformers and their subjects.

The influence of unequal resources on decision-making is evident in the following example. Carlotta Jenkins, a New Orleans resident with two children, co-authored a charter to open a high school in her neighborhood. During the writing process, “funders had a significant amount of influence and often tied funding to specific requirements (...) one major funder would withdraw funds if charter school applicants entered into collective bargaining agreements with the local union” (Henry & Dixson, 2016: 229). Jenkins and her community members believed that they had to follow funders’ demands to get their charter approved and funded. However, in less than a year, their school was taken over by the RSD. It put in place its own school administrators and “hired primarily alternatively licensed teachers against the will of the parents and community members who wrote the charter” (Henry & Dixson, 2016: 229). This suggests that the funder who warned it would withdraw funds if the school teachers entered into a union contract knew in advance that the school might be taken over and that a teachers’ union would prevent the teachers to be fired and replaced with teachers without a normal certification. This donor was therefore able, through using his/her financial resources, to influence decision- and policy making with lasting effects.

Lastly, the same people who advocated for a full-fledged school choice implementation in New Orleans also proposed many regulatory changes that had nothing to do with education, but that would benefit private enterprise. The Heritage Foundation, for example, in its Special Report on New Orleans (2005), did not only advocate for school choice. It also proposed to waive or repeal the Clean Air Act and other federal environmental regulations relating to the oil sector, such as drilling, so that it would be cheaper to build new oil refineries throughout the country. Their argumentation was that refineries in New Orleans produced approximately 25% of the nation’s oil and had 16% of refining capacity, and that the damage these refineries

suffered was responsible for a rise in prices at the pump. Heritage argued that if the Clean Air Act and regulations on oil drilling would be repealed or relaxed, it would be possible to build new refineries in other regions so that if natural disasters would hit again, refineries elsewhere could create sufficient spare capacity. This exemplifies that the school choice advocates have a wide portfolio of goals which aim to benefit large corporations and industries at the expense of the population. Higher gasoline prices due to disasters last only for a few months, but once a refinery is built without having to adhere to clean air and other environmental standards, the people will suffer the health consequences for a much longer period of time. The same report by The Heritage Foundation (2005) also advocated to repeal the estate tax (also called the death tax) and proposes to exempt Katrina victims from paying them. The foundation gives the example of Congress enacting a law to increase the exempt amount for families of victims of September 11 to \$8.5 million and argued it would help reconstruction efforts. However, only multi-millionaire families in New Orleans would benefit from such tax law repeals. Most citizens of New Orleans were poor to begin with and did not even have the amount of money that could surpass the existing exemption amount.

*Assumption 3: While the *manifest* concern of schools is focused on teaching cognitive skills, their fundamental business is to maintain the status quo by teaching appropriate attitudes and values*

Conflict theory of education maintains that working class students are taught the appropriate attitudes and values to keep them in a status of servitude under capitalism. At the same time, it means that children of the elite must be taught how to serve as leaders under capitalism. In New Orleans, some of the most prestigious public schools have found a way to privilege the latter children while keeping out the former. Two of such schools are Audubon Charter School

and Lusher Charter. Whereas Whitehurst & Whitfield (2014) praise the single application tool of New Orleans (the OneApp) which supposedly creates equity and fairness for all students who apply to their preferred schools, several charters, including these two, did not participate in this application during foregoing years. Instead, they imposed highly complicated application processes which test “a parent's savvy, access to transportation and ability to get off work” (Dreilinger, 2016). As a result, their student body does not look like that of most other schools in the city: At Lusher, 53% of students is white and 21% is economically disadvantaged, at Audubon these numbers are 39% and 44%, respectively.

Applicants at Lusher must “submit a profile detailing the student's experience and interests in the arts, even if the student is only 4 years old. The school office will not accept applications from 11 a.m. to 1 p.m., lunchtime for prospective parents with day jobs” (Dreilinger, 2016). Audubon had to use OneApp for the first time in 2016 for the seats which are funded by the state for low-income children. However, it ran a separate process in which other families could apply directly to the school for paid seats, thus avoiding the citywide common application (Dreilinger, 2016).

Both schools prioritize students based on connections. All the children who entered Audubon's Montessori program for 3-year-olds had parents who worked for the school or siblings who were already enrolled, and Lusher reserves some seats for the children of Tulane University faculty, staff and graduate students. Both schools use testing, even for 4-year-olds, to determine eligibility, despite the problems which exist with testing students that young. This privileges wealthier families who have the resources to prepare their children for such entrance exams. Poor families, however, are less able to adhere to the detailed and complex applications, no matter how bright their children might be or how motivated they are to see them succeed.

The result is admission discrimination, whether it is the schools' intention or not. As a result, many low-income families do not even apply at all. Additionally, these schools do not provide transportation, meaning the children depend on their parents' ability to bring them to school (Dreilinger, 2016). These processes ensure that the rich curriculum which is taught at these schools predominantly benefits the children of the elite, thus maintaining the status quo, and suggesting that Assumption 3 of the conflict theory of education is applicable to New Orleans.

*Assumption 4: The competition over economic resources between the bourgeoisie and the workers is the fundamental *raison d'être* of the school choice debate*

In New Orleans, the competition over economic resources is perhaps most visible in the charter school application and authorization process, as it is the “central gatekeeping mechanism in the reproduction of charter schools. The authorization process determines who gets to govern schools, including the freedom to set particular curriculum, discipline policies, personnel, *utilization of funds*, and more significantly, their relationship and role in the communities in which they are located” (Henry & Dixon, 2016: 220 [emphasis added]). The manner in which CMOs utilize their funds has been demonstrated in previous sections, detailing how CMO executive oftentimes grant themselves salaries which are far above those of public school principals. This was no different in New Orleans. In 2013-14 the ten highest paid charter school leaders in New Orleans received salaries ranging from \$162,661 to \$262,778 (NOLA, 2018). The majority of these top-10 paid executives were White, and only 2 were Black, signalling a transfer of educational funds from a predominantly Black district to White corporate leaders.

In 2012, one year earlier, CMO executive salaries were already similarly high (New Orleans City Business, 2018). Students of the Walter L. Cohen High School and L. B. Landry High School issued a joint statement on October 10, 2012, outlining that

“[we] want transparency and help showing how education reform has become an industry that has made some people rich at our expense. A lot of money has come to New Orleans for education reform but none of it benefits the children of New Orleans. *People are making a lot of money on the backs of poor Black children in New Orleans. We want resources for our schools.* We do not want to line the pockets of [other] people (in Dixon, Buras & Jeffers, 2015: 296 [emphasis added]).

Their statement strongly supports Assumption 4: it suggests that the competition for resources is at the heart of the school choice debate. A significant amount of education funding is used to pay CMO leaders, rather than learning materials for students, and “this is a fight about self-determination and the struggle for power and resources” (Dixon, Buras, and Jeffers, 2015: 296).

Parents in New Orleans have voiced similar concerns. For example, Henry & Dixon (2016) interviewed a number of Black citizens of New Orleans who tried to start a charter school. One of them is Wayne Williams, who had applied to start a charter but was rejected. He argued:

“They all talk about this competition and parents having choice. It’s interesting that most of us [Black groups who apply to open charter schools] are removed from that choice like they don’t want us to compete with them. It wouldn’t be the first time they did this, ya know. Cause if you know anything about sports you know exactly what I’m talking about (...) boxing, football, basketball, baseball, golf, tennis. They [whites] had to keep us out. They didn’t want to compete with us! I think that’s how it is with these charter schools; *they don’t want us in because then they lose!*” (Henry & Dixon, 2016: 228-229 [emphasis added]).

This sentiment suggests that by keeping African American citizens out of the charter school industry, the profitability of the school choice reform is kept predominantly in the hands of wealthy white-owned corporations, thus constituting a competition over resources between members of the working class and members of the capitalist class.

Another example of the competition over resources is the Frederick Douglass High School. The school was closed at the end of the 2010 school year, and the Knowledge Is Power Program (KIPP), a national CMO developing a network of charter schools in New Orleans, received its building. They changed it into KIPP Renaissance High School in 2010-2011. However, the students who previously attended the Frederick Douglass school were not welcome to attend. Dixon, Buras & Jeffers therefore pose the question: “Whose renaissance was this?” (2015: 292). They discovered that among the planners and consultants working with New Orleans’ Mayor Ray Nagin in the Bring New Orleans Back Commission (which called for the city to develop an all-charter district) included the founder of KIPP, the founder of Teach for America, the founder of New Schools for New Orleans (a human capital and charter school incubator), the Broad Foundation, Bill and Melinda Gates Foundation, and New Schools Venture Fund. When KIPP¹⁸ received the building and started its own school, it then worked with teachers of Teach for America. This suggests that “the accumulative interests of edu-business leaders and venture philanthropists took priority over the hopes and wider concerns of the African American community” (Dixon, Buras & Jeffers, 2015: 292), with business leaders representing the capitalist class and the Black community representing the working class who did not have a say in these processes of reform and take-over of their schools.

A final interest group which competes for resources, which has not been discussed so far, consists of private security corporations. Several schools which reopened in 2006 under the RSD (e.g. Douglass, McDonogh) had more security guards than teachers or guidance

¹⁸ In 2012, out of the fifteen highest paid charter school leaders, three worked for KIPP New Orleans: Its Executive Director earned \$135,000+\$2,813 in extras, their Chief of Academics made \$134,621+\$7,177 in extras, and the CFO made \$128,052+\$6,543 in extras (New Orleans City Business, 2018).

counsellors, including guards from the private security company Blackwater (Dixson, Buras & Jeffers, 2015). This controversial military company founded by Navy SEALs has been held responsible for extrajudicial killings in the Iraq war. New Orleans is an interesting ‘market opportunity’ for security corporations, as data from the National Center for Education Statistics (2017) demonstrate that nationally, schools with the highest percentages of students of colour and the highest percentages of students eligible for free or reduced-price lunch (such as in New Orleans) employ security guards at a much higher rate. Private security companies are therefore also competing for economic resources in these schools, as charter schools have the freedom to hire personnel the way they see fit. With the high proportion of students who are both Black and poor, it can be expected that security companies and their interests will increasingly be present in New Orleans.

Taken together, this section suggests that in the school choice debate in post-Katrina New Orleans, the competition over economic resources between the bourgeoisie and the working class is of fundamental importance. The debate can thus not be analysed or understood separate from the large economic interests of the stakeholders involved.

5. Conclusion

This research paper has analysed the school choice debate in the United States, and the fundamental role which neoliberal ideology plays in the advocacy for and implementation of school choice in its various forms. It can be concluded, based on the empirical evidence and theoretical discussions grounded in conflict theory of education, that neoliberal and like-minded think-tanks, organizations, and lobby groups are involved in the advocacy for and implementation of school choice in the United States because it assists them in furthering their goals of influencing *whose* values and ideals will be taught, and *whose* children will land the

desired jobs; thereby maintaining the capitalist status quo and enabling increasing profitability of corporations in the education sector at the expense of students, teachers, and other members of the working class. Every one of the three assumptions of conflict theory, and the fourth assumption developed by the author, have been demonstrated to be applicable to the school choice debate. This has been the case in post-Katrina New Orleans, as section 4 has discussed, and throughout the United States, as sections 2 and 3 have established.

In the absence of a strong evidentiary basis for school choice, and the primary reliance on ideological arguments rather than peer-reviewed research, it seems that the creation of a neoliberal educational marketplace is construed as an end in itself. While school choice advocates promise access to better schools through creating a competitive market, especially for students of poor and marginalized backgrounds, what their policies and model acts predominantly enable and ensure is a long-lasting access of for-profit corporations to the education sector, and an increasing ability to put public education money into private hands.

This paper has shown that the increasing implementation of school choice did not occur because a majority of the American population voted for it. Instead, influential and wealthy corporate interest groups have lobbied to change legislation in favour of school choice. Additionally, wealthy donors and foundations use their financial resources to increasingly expand school choice programs throughout the country. Education reform is thus predominantly driven by neoliberal elite interests, in the face of ever-present opposition by members of the public, including educators, parents, and students. Whereas many scholars point to the empirical data and argue that neoliberal reform of education has so far failed American students, parents, and teachers, scholars such as Noam Chomsky argue that this is not true, as it achieved what it intended: so far it has been a success for the rich, and a disaster

for the poor (Chomsky, 2012a). As New Orleans is the district with the strongest implementation of school choice in the nation (Whitehurst & Whitfield, 2014), it stands “as the prime example of neoliberal education reform. If two hallmarks of neoliberalism are the rolling back of redistributive policies and institutions and the rolling out of capital accumulation markets, then New Orleans is such a site” (Henry & Dixon, 2016: 222). Section 4 has shown that whereas some indicators of New Orleans have improved since the reforms post-Katrina, there is a stronger ground for scepticism of school choice benefits to students. What is certain, however, is that New Orleans’ education reforms have enabled a highly profitable education market, in which charter leaders in both for-profit and non-profit management organizations earn large salaries which are paid for with public education money.

Whereas the effort to improve schools through competition might be considered laudable, and the need for high quality education is evident in every society, Knopp has argued that “even quality education cannot be the antidote for the social ills of the majority without a dramatic restructuring of the economic power structure” (2012: 10). This research paper has given several examples to support this argument. For example, a quality education can hardly lift students out of poverty if their parents are paid less than a living wage and depend on social welfare to survive, as the section on the Walton Family Foundation has argued. Additionally, the assumption that free-market competition creates better schools has a fundamental flaw: In a typical capitalist market of goods or services, a producer or service provider usually does not share its successful strategies or innovations with competitors. It keeps this valuable information to itself, in order to improve its position in the market. If education becomes a competitive market like any other in a capitalist economy, then successful practices, innovations and strategic approaches that lead to a higher quality of education are not going to

be shared openly with other schools, because they are in competition with each other for attracting students. This, then, would not lead to an overall improvement of all schools. Only if schools are not in a competition over economic resources with each other would it be wise for them to share successful approaches to education, in order to improve the education level in the entire nation. This suggests that on a national level, free-market capitalist competition will not automatically lead to better schools, as competition does not provide incentives to knowledge-sharing of best practices.

This paper has demonstrated that the school choice debate, with its current ideological positions and interests, cannot be solved by finding a middle ground that would satisfy *all* parties. This is not to say that school choice cannot be implemented in a different way that would make sense from an educational and child's rights perspective. In fact, parental choice is possible to implement without for-profit motives entering the education sector in the way it currently takes place in the United States. For example, in the Netherlands, there is a large variety of public school types which are all funded by the government, regardless of whether they are secular or religious, and regardless of pedagogical philosophy such as Montessori, Dalton, Jenaplan, Steiner, Freinet, experiential-based learning, otherwise, or none. Every school receives an X amount of money, regardless of the number of students, which is used to run the school. Additionally, it receives an Y amount of money based on the number of students that attends¹⁹. These are all public schools without a for-profit motive. Management organizations such as CMOs or EMOs do not exist, principal salaries are reasonable, and teachers are free to become members of the teachers' union. Parents are free to select any

¹⁹ In 2018, this was approximately € 6.900 per student in primary schools, and € 8.500 per student in secondary schools (Rijksoverheid, 2018).

school they wish for their child, and there is no tuition. The national education inspection inspects and evaluates all schools according to the same criteria. If participants in the United States school choice debate were to genuinely focus on children's needs, they could implement a similar system. Pro-choice groups would then have the school choice they so desire, in which parents can choose a school that is right for their child. Opponents of school choice programs would be satisfied in that there is no longer a for-profit motive in running schools, and public education and teachers' unions are well-supported. However, this paper has demonstrated that the school choice debate cannot simply be reconciled by focusing on the children's needs and implementing such a not-for-profit choice-based system. As this paper has shown, school choice advocates predominantly work to benefit for-profit corporations with their advocacy, and their discourse about providing a good education for children is mainly used to convince policy makers and the public. When their policy proposals, model acts, reports, and opinion pieces are studied in detail, as this paper has done, it is evident that benefiting neoliberal interests such as expanding free enterprise, profitmaking, diminishing the power of unions and workers' rights, and solidifying capitalist norms, values and attitudes in children, is more important to them than enabling a rich curriculum in which children learn to think critically and are educated on a broad range of issues. A solution to the school choice debate is therefore not in sight, as its advocates hold most economic and political power, and changing to a system such as the Dutch one would be contrary to their interests.

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Appendix 1: Highest paid executives of charter schools without management companies in D.C.

SCHOOL NAME »	ENROLLMENT IN 2012-13 »	SCHOOL INCOME »	HIGHEST PAID NAME »	HIGHEST PAID TITLE »	TOTAL COMPENSATION** ▲
Friendship	3880	\$73.3 million	Donald Hense	chair and CEO	\$356,748
DC Prep	1138	\$21.3 million	Emily Lawson	founder/CEO	\$231,281
Center City	1405	\$24.9 million	Marjorie Edmonds-Lloyd	chief academic officer	\$219,878
Tree of Life	314	\$5.6 million	Pat Williams	executive director	\$198,761
Howard University MS	316	\$5.6 million	Yohance Maqubela	executive director	\$191,493
EL Haynes	949	\$23.3 million	Jennifer Niles	head of school	\$190,593
Eagle Academy	765	\$14.6 million	Cassandra Pinkney	executive director	\$178,452
Excel	515	\$8.5 million	Kaye Savage	ceo	\$171,166
Thurgood Marshall	397	\$9 million	Alexandra Pardo	executive director	\$166,067
Cesar Chavez	1436	\$25.7 million	Jeffrey Cooper	chief operating officer	\$159,659
William E. Doar Jr.	422	\$7.5 million	John Goldman	executive director	\$156,656
Capital City	944	\$18.7 million	Karen Dresden	head of school	\$155,627
Meridian	567	\$11 million	Robinette Breedlove	principal	\$154,999
Washington Latin	597	\$11.1 million	Marth Cutts	executive director	\$150,521
Early Childhood Academy	248	\$4.4 million	Wendy Edwards	executive director	\$148,777
Arts and Technology Academy*	629	\$11.1 million	Marva McClure	school head	\$140,292
National Collegiate Prep	310	\$5.7 million	Jennifer Ross	executive director	\$132,935
Mary McLeod Bethune	366	\$6.3 million	Linda McKay	executive director	\$131,710
Two Rivers	502	\$8.6 million	Jessica Wodatch	executive director	\$130,182
Perry Street Prep	950	\$16.8 million	Garrett Mushaw	chief operating officer	\$130,428
Creative Minds International	105	\$2.6 million	Golnar Abedin	executive director	\$130,499
LAMB [Latin American Montessori Bilingual]	273	\$5.3 million	Diane Cottman	executive director	\$130,701
Paul	556	\$9.2 million	Jami Dunham	head of school	\$129,877
Wash Math Sci Technology	354	\$6.3 million	Ndeye Diagne	head of school	\$128,345
Booker T. Washington*	362	\$5.5 million	Edward Pinkard	executive director	\$125,000
Washington Hospitality Foundation (formerly Hospitality High)	201	\$5.3 million	Tiffany Godbout	executive director	\$120,066
Stokes	335	\$6.8 million	Linda Moore	executive director	\$111,176
Mundo Verde	237	\$4.8 million	Dahlia Aguilar	principal	\$110,034
Richard Wright	202	\$4.1 million	Marco Clark	head of school	\$110,357
Next Step	277	\$5.7 million	Julie Meyer	executive director	\$110,560
Inspired Teaching	207	\$3.5 million	Zoe Duskin	principal	\$108,730
Roots	120	\$1.9 million	Bernida Thompson	principal/executive director	\$108,837
Achievement Prep	315	\$6.1 million	Shantelle Wright	founder and head	\$105,228
Washington Yu Ying	439	\$7.9 million	Maquita Alexander	head of school	\$104,310
IDEA	298	\$6.6 million	Norman N. Johnson	executive director	\$101,789
Bridges	143	\$3.8 million	Olivia Smith	executive director	\$89,367
Ideal Academy	280	\$5 million	George Rutherford	principal	\$87,850
Shining Stars	55	\$1.3 million	Aldel Brown	trustee interim exec director	\$48,882***

*These schools have closed.

**Total compensation includes salaries and other compensation, including deferred compensation, bonuses and retirement.

***Salary for partial year.

Figure 16. Source: The Washington Post, 2014

Appendix 2: Highest paid executives of charter schools with management companies or other related organizations in D.C.

SCHOOL NAME »	ENROLLMENT »	INCOME »	HIGHEST PAID SCHOOL EMPLOYEE »	TITLE »	TOTAL COMP. FROM SCHOOL »	COMP. FROM RELATED ORG »	MGMT. CO. STATUS »	HIGHEST PAID MGMT. CO. EXECUTIVE »	TITLE »	TOTAL COMP. »	MGMT. CO. DESCRIPTION »
Community Academy††	1697	\$30.8 million	Brenda Bethea	head of schools	\$146,772	0	for profit	Kent Amos	chief executive	\$1,275,625 ‡	Community Action Partners managed CAPCS schools. Fees paid to the management company are the subject of a pending civil lawsuit filed by the D.C. Attorney General.
Carlos Rosario	1941	\$18.3 million	Sonia Gutierrez	CEO and founder	\$328,744	\$23,660	nonprofit	Sonia Gutierrez	president	\$352,404	Community Capital Corporation runs and maintains buildings for Carlos Rosario.
SEED	341	\$14.3 million	Charles B. Adams	head of school	\$239,737	0	nonprofit	Rajiv Vinnakota	co-founder and managing director	\$290,170	The Seed Foundation has a boarding school in Baltimore in addition to the one in DC.
Briya	436	\$5.3 million	Christine McKay	executive director	\$100,211	0	nonprofit	David Tarto	CEO	\$277,402	Mary's Center is a broad organization that provides health care and social services. It is not a management company for Briya but rents the school space and provides services to families.
AppleTree	640	\$12 million	Russ Williams	executive director	\$125,834	0	nonprofit	William J. McCarthy	president	\$271,063	AppleTree Institute trains schools and teachers to use an instructional model it developed for preschool. It provides administrative, facilities management and other support to AppleTree schools.
St. Coletta	250	\$16.6 million	no salaries listed/no one making more than \$100K				nonprofit	Sharon Raimo	chief executive officer, director	\$220,923	St. Coletta of Greater Washington runs St. Coletta charter school and other programs for people with disabilities.
DC Scholars	183	\$3.8 million	Rebecca Crouch	CEO	\$65,942***	0	nonprofit	Lars Beck	CEO of Scholar Academies	\$220,200	Scholar Academies operates six schools in Pennsylvania, New Jersey and DC.
Potomac Prep (formerly Potomac Lighthouse)†	397	\$6.2 million	no salaries listed/no one making more than \$100K				nonprofit	Mike Ronan	CEO	\$214,000	Lighthouse Academies manages about 20 charter schools nationwide.
Maya Angelou	576	\$12.5 million	Marian White-Hood	director, academics	\$129,493	0	nonprofit	Lucretia Murphy	executive director	\$166,214	The See Forever Foundation does not manage Maya Angelou schools but shares resources with and provides support to the schools.
DC Bilingual	339	\$7.2 million	no salaries listed/no one making more than \$100K				nonprofit	Myrna Peralta	CEO	\$150,000	CentroNia provides educational and other services to the community, and it provides management services for DC Bilingual.
LAYC Career Academy	103	\$2.6 million	no salaries listed/no one making more than \$100K				nonprofit	Lon Kaplan	CEO	\$147,000	Latin American Youth Center has founded four charter schools in DC.
YouthBuild	116	\$2.7 million	Arthur Dade	executive director	\$135,833	0	nonprofit	Lon Kaplan	CEO	\$147,000	Latin American Youth Center has founded four charter schools in DC.
Basis DC	443	\$6.4 million	Paul Morrissey	head of school	\$90,418	0	for profit	unknown	unknown	unknown	Basis Schools, Inc. manages schools in Arizona, Texas and D.C.
Cedar Tree†	684	\$12 million	Latonya Henderson	executive director	\$140,962	0	for profit	unknown	unknown	unknown	Mosaica Education manages more than 100 charter schools.
Hope Community	824	\$14.7 million	Chloe Marshall	principal	\$113,074	0	for profit	unknown	unknown	unknown	Imagine Schools Inc. manages approximately 45 schools around the country.
Imagine Southeast*	611	\$10.7 million	Stacey Scott	principal	\$122,056	0	for profit	unknown	unknown	unknown	Imagine Schools Inc. manages approximately 45 schools around the country.
KIPP DC	3039	\$62.8 million	Susan Schaeffler	member/chief executive	\$232,643	0	nonprofit	unknown	unknown	unknown	The KIPP Foundation is not a management organization, according to KIPP DC, but it provides training and other services in exchange for a fee. It works with more than 140 charter schools nationwide.
Options††	415	\$17.6 million	Donna Montgomery	chief executive	\$319,245	0	for profit	unknown	unknown	unknown	The relationship between the school and management companies EEMC and EES is the subject of an ongoing civil case. Donna Montgomery ran the companies at the same time that she was CEO of the school.

*These schools have closed.

**Total compensation includes salaries and other compensation, including deferred compensation, bonuses and retirement.

***Salary for partial year.

†These schools have severed their relationships with their management companies since 2013.

††These schools are the subject of court cases and were ordered by a judge to sever their relationships with their management companies.

‡Kent Amos' total compensation is sourced from federal tax return for Community Action Partners, as Judge Neal E. Kravitz read into D.C. Superior Court record on Oct. 27, 2014.

Figure 17. Source: The Washington Post, 2014.

Appendix 3: Section 3 (C) of ALEC's Education Savings Account Act

(C) Parents participating in the Education Savings Account program shall agree to use the funds deposited in their eligible student's accounts for the following qualifying expenses to educate the eligible student:

- (1) Tuition and fees at a qualifying school.
- (2) Textbooks or uniforms required by a qualifying school.
- (3) Payment for private tutoring.
- (4) Payment for purchase of curriculum, any supplemental materials required by the curriculum, and instructional materials.
- (5) Tuition or fees for a non-public online learning program.
- (6) Fees for national norm-referenced examinations, Advanced Placement examinations or similar courses, and any examinations related to college or university admission, and career and technical education examination fees.
- (7) Contributions of up to \$2000 annually to the eligible student's qualified tuition program established pursuant to 26 USC Section 530 or 11 USC Section 529.
- (8) Educational services for pupils with disabilities students with special needs from a licensed or accredited practitioner or provider.
- (9) Tuition and fees at an eligible postsecondary institution.
- (10) Tuition, fees, and instructional materials at a career and technical education provider.
- (11) Contracted educational services provided at a public school or public school district.

- (12) Textbooks required for college or university courses.
- (13) Fees for account management by private financial management firms approved by the Department.
- (14) Transportation up to \$1,000 per fiscal year.
- (15) Any other valid educational expenses approved by the Department.